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The Early Diplomatic Relations

BETWEEN THE

United States and Japan

1853-1865

BY

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PREFACE

The invitation to deliver the Albert Shaw Lectures on Diplomatic History at the Johns Hopkins University afforded an opportunity to organize the first part of a more extensive study in which I have been engaged for a number of years. It is my hope to complete eventually a survey of the whole period of Japanese-American diplomatic relations. The present lectures take up the story with the beginnings of American intercourse, and continue it through the negotiation of the Perry and Harris treaties, into the period when, because of the Mikado's refusal to approve of the commercial conventions, the foreign relations of Japan became apparently inextricably involved with the turbulent domestic politics of that revolutionary era. The narrative ends with the Mikado's sanction of the treaties in 1865, one of the most important of all the events which occurred in the period between the real opening of Japan in 1859 and the war of the restoration in 1868.

It is my pleasant duty to acknowledge here the gratitude owed to the friends and colleagues, in America and in Japan, who have given help and encouragement in these investigations. Their very number precludes individual mention. I cannot, however, fail to express

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a very deep sense of obligation to Robert C. Pruyn, Esquire, of Albany, New York, who so generously permitted use of the private correspondence of his distinguished father, and added many valuable suggestions from his own recollections of life in the capital of the Tycoon.

PAYSON J. TREAT.

STANFORD UNIVERSITY, CALIFORNIA,
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CHAPTER I

Commodore Perry: Peace and Amity

When the exchange of ratifications of the first American treaty with Japan took place, almost a year after the treaty had been signed, the Japanese commissioners sent this message to the American commodore, that "his name would live forever in the history of Japan."[1] Rarely does a prophecy stand the test of half a century, and yet after sixty years the name of Perry is familiar to almost every schoolboy in Japan, although in his own country his fame has not fared so well. From the Japanese standpoint the American treaty of 1854 was of the deepest significance. It marked the beginning of the end, not only of the old policy of seclusion and exclusion, but of the far older system of dual government, and it was the real commencement of that era of progress and world intercourse which has placed the Island Empire among the great powers of the world. From the American point of view it was an interesting episode, reflecting honor and glory upon a nation which had hitherto played but a small part in the world's affairs; but so absorbed did the country soon become in the Civil

[1] F. L. Hawks, Narrative of the Expedition of an American Squadron to the China Seas and Japan, etc., I, 512.

War and in the later problems of reconstruction and internal development that the passing interest in Japan soon waned. The American government continued to be the unselfish friend of Japan, but leadership in Japanese affairs soon passed into other hands. That it was American diplomacy which brought Japan into peaceful intercourse with the civilized world remains to the credit of the United States, no matter what efforts were made then and later to minimize the contribution. And there is reason to believe that Japan herself has cause to be thankful that her first lessons in international law were learned from American representatives.

For more than two centuries Japan had been closed to all foreign intercourse, save only a strictly regulated commerce with the Dutch and the Chinese at Nagasaki.[2] The adoption of this policy of exclusion and seclusion had come after a century of friendly and liberal relations with several European states. Beginning in 1542 with the discovery of Japan by stormbound Portuguese, commercial relations developed first with Portugal, carried on through Macao on the China coast; then with Spain, through Manila and even directly through Acapulco; and later with Holland and England, conducted by their great East India companies. The Japanese with their "intelligent

[2] J. Murdoch and I. Yamagata, History of Japan (1542–1651).

curiosity" welcomed the foreign traders with their new wares and, especially, their firearms. In 1613[3] Ieyasu, founder of the Tokugawa Shogunate, gave to the English a charter which granted them privileges far more liberal than could have been found in any western state, including even free trade and extra-territoriality. That the Japanese sought commerce and intercourse with other states during this period is evident from the record. That they sacrificed both in order to free themselves from the political menace of the western religion is also evident. The story of missionary propaganda in Japan from the time of Francis Xavier is a record in which religious zeal and devotion is intermingled with individual indiscretions and national rivalries. It is difficult today to unravel all the motives from the skein of tangled political, religious, and economic elements, but there is reason to believe that if religious propaganda could have been divorced from commercial intercourse, the doors of Japan might never have been closed. As it was, the English East India Company abandoned its factory in 1623, the Spaniards were excluded in 1624, seclusion was decreed in 1636, and the Portuguese were excluded in 1638. The Dutch, who professed a different brand of Christianity and who were not interested in its propaganda, were transferred to Nagasaki in 1641 and permitted to carry on their trade, under the strictest

[3] He had nominally retired in 1605.

regulations, at that port. The Chinese also were allowed to trade there under rigid restrictions. Though the English tried in 1673 to reestablish their factory, their request was denied, and seclusion and exclusion remained the firm policy of Japan.

This policy was inaugurated by Iemitsu, the third of the Tokugawa Shoguns, who administered the country from 1623 until 1651. He was the grandson of the great Ieyasu, who had retired in 1605 and yet virtually ruled the country until his death in 1616. Seclusion, therefore, was not the work of the founder of the Tokugawa Shogunate, although he is generally credited with its establishment.

The government of Japan throughout this period was unique. At Kyoto resided the Mikado, or Tenno, descendant of the gods and supreme monarch of the land. But from the earliest historic period the Mikado had withdrawn more and more from the actual administration of affairs, entrusting it at first to nobles of his court, represented between 670 and 1156 by the great Fujiwara family, and after that date to great military families who held the title of Sei-i-tai Shogun (Barbarian Subjugating Great General). The first of these leaders was Minamoto Yoritomo, who became Shogun in 1192. From 1199 until 1333, members of the Hojo family served as regents for titular Shoguns. In 1338 the Ashikaga family was established in the Shogunate, holding it until 1573. Then

out of thirty years of civil war arose the three great generals, Nobunaga, Hideyoshi, and Ieyasu, the latter of whom was made Shogun in 1603. His descendants held that office until its abolition in 1868.

Under the dual system of government the Mikado resided at Kyoto, surrounded by his court but under the watchful eye and control of the representative of the Shogun. At Yedo, the Tokugawa capital, resided the Shogun, invested with supreme authority in political affairs. To him the feudal lords, daimyos, swore allegiance, and his power over them was real and during the early years was frequently exercised. The authority of the Mikado was nominal, though present. He invested the Shogun with his office, but the Shogun was not called upon to secure approval for his actions. The momentous decision to close the country was taken by Iemitsu without imperial approval, nor at that time, when the Tokugawa Shogunate was at its height, was such deemed necessary. It was easy, therefore, for the early writers on Japan to speak of the Mikado as a spiritual emperor and the Shogun as a temporal ruler, for it was with the Shogun that all foreign affairs were transacted.

During the later Tokugawa period the actual government very largely passed out of the hands of the Shoguns and was exercised by the Roju (Gorogio), senior ministers or council. These were five in number, chosen from the more important of the fudai

daimyo, and at times one of them was given the office of dairo (tairo), corresponding very nearly to that of regent. It was the Roju which handled foreign affairs after the reopening of Japan. Occasionally members of the Waka-doshiyori, or junior council, composed of five junior ministers, were called upon to treat with the foreign representatives when the pressure of internal and foreign affairs proved too burdensome on the Roju.

In regard to the feudal system it is necessary to note that at the close of the Tokugawa period there were two hundred and fifty-eight daimyos. Of these twenty-one were related to the Tokugawas, one hundred and thirty-nine were known as fudai (hereditary vassals), or descendants of those who had come to the support of Ieyasu early in his career, and ninety-eight were tozama lords, descended from the old feudal nobility which had either come reluctantly to the support of the Tokugawas or had been beaten into submission. None of the latter lords was permitted to hold office in the Yedo administration, and among them were found the leaders in the anti-Tokugawa movement of the period covered by this study. Within their fiefs the daimyos exercised almost unlimited power. They could be called upon to maintain troops in the field in time of need. The Shogunate (sometimes spoken of as Bakufu) exercised a measure of control over the feudatories through the law of com-

pulsory residence at Yedo, the exchange of fiefs, and fines disguised as orders to carry out some costly public work.[4]

After 1641 Japan was closed to all foreign intercourse save that with the Dutch and the Chinese at Nagasaki. The Dutch were confined to the artificial fan-shaped islet of Deshima, about six hundred by two hundred and forty feet in size.[5] The whole island was surrounded by a high board fence, and access to the mainland was over a stone bridge, carefully guarded. No Japanese was permitted to visit the island without permission, nor could a Hollander cross the bridge without leave. At first six or seven Dutch ships a year were allowed to visit Nagasaki; later the number was reduced to two, and after 1790, to one. Before that date the head of the factory had to make a visit to Yedo annually with presents, but later the visit was made every four years. Residence at Deshima was permitted under regulations both strict and humiliating, and the annual ships had to observe stringent rules. Yet because of the profit from the trade, which was great down to the nineteenth century, the Dutch accepted this confinement. During the two

[4] See J. H. Gubbins, The Progress of Japan, 1853–1871, pp. 1–39; F. Brinkley, History of the Japanese People, 592–595, 632–637; J. H. Gubbins, "The Feudal System in Japan under the Tokugawa Shoguns," in Transactions of the Asiatic Society of Japan, vol. 15, part II.

[5] J. H. Longford, The Story of Old Japan, 286.

centuries much information concerning Japan was secured and published by officials at Deshima, and the works of Kaempfer, Thunberg, Titsingh, and Siebold were the great sources of western knowledge during the period. On the other hand, in spite of official prohibitions, some Japanese gratified their love of learning by studying with the Dutch agents, and thus through Nagasaki there seeped into the country some knowledge of western history, politics, science, and medicine. It is a great mistake to think that Japan was hermetically sealed during her centuries of seclusion. Nagasaki was a keyhole through which some light entered.

The Chinese trade was governed by similar regulations. Until 1684 seventy junks a year might visit Nagasaki; then the number was reduced to twenty, and after 1740 to ten. To a less extent than in the case of the Dutch, news from the outer world filtered in from China, and some also came through the junks of Satsuma which were allowed to trade with the Loo-Choo (Ryukyu) Islands, a dependency of that fief, but also in touch with China.

It could hardly be expected that with the development of European commerce in the Far East such states as Japan and Korea would be permitted to maintain their exclusive systems. In the very year that the Portuguese were expelled from Japan (1638) the Russians had carried their standard clear across Siberia to Okhotsk, on the Pacific, and the next two centuries

saw the consolidation of their control. In 1792 Lieutenant Laxman was sent to return some Japanese seamen and to endeavor to open friendly relations.[6] This attempt failed, as did a more elaborate one in 1804, under Resanoff. Other Russian expeditions will be mentioned later. The Japanese knew of the growth of Russian power to the north, and this knowledge was one of the influences in arousing interest in foreign affairs during the early nineteenth century.

Other flags were occasionally seen in Japanese waters. French and British explorers visited the northern islands. During the Napoleonic Wars the Dutch trade was carried on under the American flag, and in 1807 an American ship, chartered by the Russian American Company, and under the Russian flag, unsuccessfully sought trade at Nagasaki. The next year a British frigate, the *Phaeton,* put in at Nagasaki in search of the Dutch merchantman.[7] This invasion resulted in the suicide of several of the Japanese officials who were responsible for allowing the ship to enter and aroused in Japan an indignation which persisted until Perry's time.[8] While the British held Java, 1811–1816, the annual ship was British, but the agent at Deshima refused to surrender his post to the

[6] Hawks, I, 45.

[7] W. G. Aston, "H. M. S. *Phaeton* at Nagasaki in 1808," in Trans. As. Soc. Japan, vol. 7, part IV, pp. 329–344.

[8] S. W. Williams, "Journal of the Perry Expedition to Japan," in Trans. As. Soc. Japan, vol. 37, part II, pp. 149, 220.

conquerors. A unique attempt was that of the American ship *Morrison,* in 1837, to return some Japanese sailors who had been blown clear across the Pacific to Vancouver. This humanitarian attempt failed; and the result of this and other efforts to return seamen and open commercial relations was the edict of 1843 to the effect that shipwrecked Japanese could be returned only in Dutch or Chinese ships.[9]

After the Napoleonic Wars the trade between China and the West rapidly developed. In this commerce Americans took a prominent part. With the end of the English East India Company's monopoly of British trade came a great increase in British shipping, and there began the struggle between the royal representatives and the Chinese officials which, complicated by the contraband trade in opium, led to the Anglo-Chinese war of 1839–1842, which will ever be known in China as the Opium War. Its great result was the opening of five ports in China to foreign trade, and America, France, and other countries secured treaties similar to that of Great Britain.

This development of Chinese commerce led to increased interest in Japan. In the forties two British surveying ships and two French ships of war visited Japanese ports, as well as two American expeditions. One of the latter, under Commodore Biddle,[10] went

[9] 32d Cong., 1st sess., S. Ex. Doc. No. 59, pp. 78–79.

[10] 32d Cong., 1st sess., S. Ex. Doc. No. 59, pp. 64–66 (2 ships).

in 1846 to Yedo to ascertain if the ports were open, and the other, under Commander Glynn,[11] in 1849, visited Nagasaki, to receive some shipwrecked American seamen. It became evident that Japan's days of seclusion were soon to end.

To two western countries the opening of Japan was of prime importance, but for very different reasons. Russia, on the north, had pushed down into the Kurile Islands, and to round out her illicit occupation of the Amur Valley sought the possession of Karafuto (Saghalien). Her advance was feared by Japan, for her commercial interests were small. Japan lay beyond the route of the usual European commerce of the time; but in the case of the United States, with the development of direct shipping between San Francisco and Shanghai, the Japanese islands lay right in the track. The interests of the United States were primarily commercial, and it had more to gain immediately from the opening of the Japanese ports than had other commercial states. With the development of steam navigation the necessity for coaling stations somewhere between Honolulu and Shanghai became important, and the presence of American whalers in the northern waters of Japan after 1820 made it necessary that ports of refuge and supply be obtained, and that guarantees for the humane treatment of our shipwrecked mariners be secured.

[11] Ibid., pp. 1–44 (1 ship).

These were the reasons which led to active American interest in Japan in the early fifties. Before then, in 1832 and in 1835, Mr. Roberts, our minister to Siam and Muscat, had borne letters of credence to Japan, but had not gone there; and in 1846 Commodore Biddle had carried the letter of credence which had been given to Mr. Everett, our minister to China. But in the fifties more serious efforts to open intercourse were made. In 1851 Commodore Aulick, who had been placed in command of the East India squadron, was instructed to visit Japan and secure, if possible, a treaty of amity and commerce which was to include the right to obtain coal, the opening of one or more ports for commerce, and protection for shipwrecked seamen and property.[12] After his recall on November 18, 1851, the mission was entrusted to Commodore Matthew Calbraith Perry, brother of the well-known Oliver Hazard Perry, the hero of Lake Erie.

So much has been written concerning the mission of Commodore Perry that only the more important phases of it need be treated here.[13] His instructions,[14]

[12] 32d Cong., 1st sess., S. Ex. Doc. No. 59, pp. 81–82. That Commodore Aulick was not well qualified for such a mission may be inferred from the ill-treatment of some Japanese seamen on the *Susquehanna* at Hongkong (J. Heco, Narrative of a Japanese, I, 113–121).

[13] For Perry's expedition see: 33d Cong., 2d sess., S. Ex. Doc. No. 34; Hawks, Narrative of the Expedition of an Amer-

which were drafted by Mr. Conrad, secretary of war and acting secretary of state, set forth that the object of his mission was to secure protection for shipwrecked American seamen and property, permission to secure supplies (especially coal), and the opening of one or more ports for commerce.[14] These objects were to be obtained by argument and persuasion; but if unsuccessful he was to state "in the most unequivocal terms" that American citizens wrecked on the coasts of Japan, must be treated with humanity,

> and that if any acts of cruelty should hereafter be practised upon citizens of this country, whether by the government or by the inhabitants of Japan, they will be severely chastised.

He was also instructed that,

> as the president has no power to declare war, his mission is necessarily of a pacific character, and [he] will not resort to force unless in self defence in the protection of the vessels and crews under his command, or to resent an act of personal violence offered to himself, or one of his crews.

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ican Squadron to the China Seas and Japan; Williams, "Journal of the Perry Expedition to Japan," in Trans. As. Soc. Japan, vol. 37, pt. II; C. O. Paullin, Diplomatic Negotiations of American Naval Officers, 1778–1883; W. E. Griffis, Matthew Calbraith Perry; I. Nitobe, Intercourse between the United States and Japan; J. W. Foster, American Diplomacy in the Orient.

[14] November 5, 1852. See 33d Cong., 2d sess., S. Ex. Doc. No. 34, pp. 4–9.

He was, further, to be

> courteous and conciliatory, but at the same time, firm and decided. He will therefore, submit with patience and forbearance to acts of discourtesy to which he may be subjected, by a people to [sic] whose usages it will not do to test by our standards of propriety, but, at the same time, will be careful to do nothing that will compromit, in their eyes, his own dignity, or that of the country. He will, on the contrary, do everything to impress them with a just sense of the power and greatness of this country, and to satisfy them that its past forbearance has been the result, not of timidity, but of a desire to be on friendly terms with them.

The history of the expedition shows how perfectly Perry carried out these instructions.

The appointment of a naval diplomat was due to the fact that much depended upon the wise use of the naval force to be sent to Japan. Perry was appointed to the command of the East India squadron, then consisting of three ships of war and two store ships, which was to be reinforced by eight additional vessels.[15] During the nine months which elapsed before any of the new vessels were ready for sea, he spent as much time as possible in working out all the details connected with the expedition, and in gathering books, charts, presents, and all manner of information. To this thorough preparation the success of the expedition was in large part due.

On November 24, 1852, Perry sailed from Norfolk, Virginia, in the steam frigate *Mississippi*. His

[15] Only one of the additional ships arrived in time for the first visit to Japan. Two did not arrive at all.

course lay via Madeira, St. Helena, Cape Town, Mauritius, Point de Galle, Singapore, Macao, Hongkong, to Shanghai. There his squadron of six vessels was assembled. He then visited the Ryukyu (Loo-Choo) Islands, owing dependence to both Japan and China, and also the Bonin Islands, both of which places he considered suitable for rendezvous and coaling stations. Finally, on the 8th of July, 1853, with only four ships of war, he entered the Bay of Yedo and anchored off the town of Uraga.

The Japanese were not unprepared for his arrival, for in 1844 the king of Holland, William II, had addressed a letter to the Shogun warning him of the impossibility of longer maintaining the seclusion policy and urging him to open friendly commercial relations with the powers, and the Shogun had replied that Japan would not alter her ancient laws.[16] Again, in 1852, when the news of the proposed American expedition reached the Netherlands, another effort was made, and a draft of a commercial treaty was presented for Japanese consideration.[17] There is reason to believe that the Dutch may have stressed the warlike nature of Perry's enterprise.[18]

[16] D. C. Greene, "Correspondence between William II of Holland and the Shogun of Japan, A.D. 1844," in Trans. As. Soc. Japan, vol. 34, part IV.

[17] Hawks, I, 65.

[18] "The American expedition has not always been represented to be of a wholly friendly and peaceful character"

On his first visit to Japan, Perry remained for ten days. He succeeded in impressing the Japanese with the strength of his squadron, containing the largest naval force and the first steamers ever seen in Japanese waters, and with his own good-will. He refused to go to Nagasaki or to deal through the Dutch; he refused to accept presents unless some were received by the Japanese in exchange; and he insisted upon treatment suitable to his position as the representative of a great power. His mixture of "firmness, dignity, and fearlessness" made a deep impression on the Japanese.[19] He succeeded, therefore, in having the President's letter[20] received, "in opposition to the Japanese law," by two of the high officials of the Shogun's court, Toda Idzu-no-Kami, and Ido Iwami-no-Kami; and he sailed away, promising to return in the spring for an answer. His reasons for

(Governor General Van Twist of the Netherlands Indies to Perry, September 22, 1852, in 33d Cong., 2d sess., S. Ex. Doc. No. 34, pp. 20–21.

[19] Bayard Taylor, Visit to India, China and Japan, 417.

[20] This letter, signed by President Fillmore, countersigned by Edward Everett, secretary of state, and dated November 13, 1852, was a longer document than that entrusted to Commodore Aulick in 1851 (32d Cong., 1st sess., S. Ex. Doc. No. 59, p. 82). In brief, it asked for "friendship, commerce, a supply of coal and provisions, and protection for our shipwrecked people." It requested that the Emperor appoint a convenient port "in the southern part of the Empire" where the supplies might be obtained. In the earlier letter there was no reference to the protection of shipwrecked seamen.

leaving were not only because of his wish to allow the Japanese time to consider so revolutionary a proposal as the amendment of their exclusion laws, but also because of the lack of supplies for a long stay on the coast, the non-arrival of the gifts for the Japanese, and, above all, the desirability of appearing with a larger force when the final negotiations should take place.[21]

The presence of the American squadron had occasioned consternation in the Shogun's government. Its appearance was anticipated; its hostile aspect had been stressed. It was the duty of the Shogunate to deal wisely with this crisis. The well-known laws of the land decreed that the squadron should have been ordered away; if it would not go, the armed forces of the Shogunate and the daimyos should compel it to retire. But among the Shogunate officials were men who were more or less informed concerning world movements, and who knew that it would be foolhardy to precipitate hostilities with a power represented by four of the greatest vessels ever seen in Japanese waters. It was their knowledge which saved the situation, for the great bulk of the daimyos and their samurai retainers favored the immediate expulsion of the foreigners. And yet it was the weakness of these same officials which complicated matters. Without question the Yedo government should have dealt with

[21] 33d Cong., 2d sess., S. Ex. Doc. No. 34, pp. 32, 53–54.

this situation on its own responsibility. But Lord Abe, president of the Roju, or Cabinet, was unwilling for the Shogunate to act alone. The weakening of the Tokugawa administration during the past fifty years had sapped the initiative and the fearlessness of the Cabinet. An unprecedented step was taken when the President's letter was transmitted to the Mikado and the daimyos for their consideration, and later when a conference of daimyos was convened.[22]

This action was the beginning of the process which eventually undermined the Shogun's power. Almost to a man the daimyos favored the maintenance of the exclusion laws,[23] and the imperial court instructed the Shogun to drive away the Americans.[24] From the beginning the opposition was led by the senior prince of Mito, member of one of the Three Families (Sanke)[25] and one of the strongest and ablest daimyos in the land. Only a few of the lords favored a policy of conciliation and intercourse, and among these were the lords of Obama, Tsuyama, Uwajima, Fukuoka, Nakatsu, and Ii Naosuke, Lord of Hikone.[26] One clause in the President's letter strengthened their arguments: "If your imperial majesty is not satis-

[22] J. H. Gubbins, Progress of Japan, 91.

[23] H. Satoh, Lord Hotta, 26.

[24] Gubbins, Progress of Japan, 92.

[25] The houses of Mito, Owari, and Kii, from which a Shogun was chosen in case of failure of issue in the direct line.

[26] Satoh, 27.

fied that it would be safe altogether to abrogate the ancient laws which forbid foreign trade, they might be suspended for five or ten years, so as to try the experiment. If it does not prove as beneficial as was hoped, the ancient laws can be restored. The United States often limit their treaties with foreign States to a few years, and then renew them or not, as they please."[27] This statement of the President was remembered by the Yedo officials in the troubled days which followed. Ii, Hotta, and others thought that if the experiment did not succeed, at the end of a few years Japan would have become strong enough to close the doors again.[28] In the meantime, although the Shogunate realized that a war could not be successfully maintained, defensive measures were taken.[29]

[27] Hawks, I, 257.

[28] Satoh, 29; Gubbins, Progress of Japan, 287.

[29] "Under the guidance of Abe Masahiro, one of the ablest statesmen that Yedo ever possessed, batteries were built at Shinagawa to guard the approaches to Yedo; defensive preparations were made along the coasts of Musashi, Sagami, Awa, and Kazusa; the veto against the construction of ocean-going ships was rescinded, and the feudatories were invited to build and arm large vessels; a commission was given to the Dutch at Deshima to procure from Europe a library of useful books; cannon were cast; troops were drilled, and everyone who had acquired expert knowledge through the medium of the Dutch was taken into official favour. But all these efforts tended only to expose their own feebleness, and on the 2nd of November, 1853, instructions were issued that if the Americans returned, they were to be dealt with peacefully" (Brinkley, 666).

After leaving Japan, Perry visited Ryukyu, and then made his way to Hongkong and to Macao, which was his headquarters during the winter. The great Taiping rebellion was raging in China, and it was felt by the American merchants there, and especially by the American commissioner, Humphrey Marshall, that Perry should have used his squadron for the protection of established American interests in China rather than for the opening of relations of doubtful value with Japan.[30] But in this case Perry was right, for during the absence of the squadron in both 1853 and 1854 American interests did not suffer during the civil commotion in China.

The argument of the President and of Perry, that Japan should open her doors to trade because of the changed state of the world, was strengthened by the visits to Nagasaki of a Russian squadron under Admiral Poutiatine, in August, 1853, and again early in 1854.[31] In November, 1853, Poutiatine had suggested "mutual co-operation" to Perry, which the latter courteously declined.[32] It was the belief that both the French and Russian squadrons were about to visit Japan and seek treaties that caused Perry to hasten his return,[33] and on January 14, 1854, he sailed again from Hongkong for Japan.

[30] Correspondence, in 33d Cong., 1st sess., H. Ex. Doc. No. 123, S. Ex. Doc. No. 34.

[31] Hawks, I, 62, 63.

[32] 33d Cong., 2d sess., S. Ex. Doc. No. 34, pp. 80–82.

[33] Hawks, I, 303.

Once more the squadron rendezvoused at Ryukyu. There Perry received a letter from Duymaer Van Twist, governor-general of Netherlands India, advising him of the death of the Emperor (Shogun) of Japan shortly after he had left Uraga, and transmitting the request of the Japanese authorities that Perry postpone his promised visit because of the impossibility of transacting any important business during the period of mourning.[34] This news did not alter the commodore's plans. On the 13th of February the American squadron anchored off Gorihama in the Bay of Yedo. Although two of the promised vessels had not been sent out from home, Perry was able to muster a respectable force of seven, and later nine, ships, three of them being steamships, although three of the sailing craft were only store ships.[35] The enlarged force caused the Japanese at first to question his peaceful intentions.

The first difficulty arose over the place where the conference concerning the President's letter should be

[34] Ibid., I, p. 322.

[35] The squadron consisted of the steamships *Susquehanna, Mississippi,* and *Powhatan,* the sloops of war *Vandalia, Macedonian,* and *Saratoga,* and the armed store ships *Southampton, Lexington,* and *Supply.* The *Southampton* arrived on February 10, the *Susquehanna, Mississippi, Powhatan, Vandalia, Macedonian,* and *Lexington* on February 13, the *Saratoga* on March 4, and the *Supply* on March 19. The *Susquehanna* left for China on March 24, one week before the treaty was signed.

held. The Japanese insisted upon either Uraga or Kamakura. Perry objected to both places because of the unfavorable harbors, and declared that Yedo, the capital, was the proper place. Finally both sides yielded, and the village of Yokohama was agreed upon. Then came the conferences, formal and informal, over the terms of the proposed treaty. Three times Perry landed, with all formality, to discuss the matter with the imperial commissioners. Perry offered as a basis for discussion the American treaty with China of 1844, but the Japanese replied that they certainly were not ready for the opening of such a trade. The commissioners then presented a series of propositions, based on Perry's letters. These became the real basis of the treaty.[36] The negotiations were carried on with the utmost friendliness.[37] During their progress gifts were exchanged, those from the United States including two telegraph instruments, a miniature locomotive, tender, cars, and rails, a number of books, various weapons, quantities of spirits, and many ob-

[36] There is no evidence that the Japanese made use of the draft treaty submitted by the Dutch in 1852. Commodore Perry had not seen the text, although Dr. Nitobe believes that Perry "availed himself of this draft," and "finds but little in Perry's treaty that is original" (Nitobe, Intercourse between the United States and Japan, 56–57). Williams, Journal of the Perry Expedition, viii; Hawks, I, 66.

[37] Hawks, I, 367.

jects of unusual interest to the Japanese.[38] A state dinner was held on the flagship at which the Japanese showed their appreciation of the champagne and other wines and spirits. It must have been a rare sight when "the jovial Matsusaki threw his arms about the Commodore's neck, crushing, in his tipsy embrace, a pair of brand new epaulettes, and repeating, in Japanese, with maudlin affection, these words, as interpreted into English: 'Nippon and America, all the same heart.'"[39] On the 31st of March a treaty of peace and amity was signed, the text being in English and Japanese, with translations in Dutch and Chinese.

This epoch-making treaty consisted of twelve articles.[40] The first article established a "perfect, permanent, and universal peace, and a sincere and cordial amity" between the United States and Japan. The second provided for the opening of the ports of Shimoda at once, and Hakodate a year later, for supplies. The third, fourth, and fifth articles assured good treatment for shipwrecked Americans in Japan and freedom from the restrictions and the confinement

[38] A complete list in Williams, Journal of the Perry Expedition, 131–134. The illustrations in Kendall, War in Mexico, and Ripley, History of the Mexican War, were said to have made a profound impression on Lord Abe and the Roju (Japan Weekly Mail, August 1, 1914).

[39] Hawks, I, 376.

[40] In this and the other early treaties the Shogun is spoken of as the Taikun. For the Japanese explanation of this term, see Hawks, II, 207–208.

suffered by the Dutch and the Chinese at Nagasaki. The sixth article called for careful deliberation between the parties in case any other goods were wanted or any business had to be arranged.[41] The seventh permitted trade under temporary Japanese regulations. The eighth required the agency of Japanese officers when supplies were required. The ninth was the "most favored nation" clause.[42] The tenth limited the visits of American ships to Shimoda and Hakodate except in distress or when forced by bad weather. The eleventh permitted the appointment by the United States of consuls or agents at Shimoda after eighteen months, provided either of the two governments deemed such arrangement necessary.[43] The twelfth dealt with the approval and the exchange of ratifications.[44]

Such were the terms of Japan's first modern treaty;

[41] This was inserted by Perry to pave the way for a later commercial treaty.

[42] Dr. S. Wells Williams, the first interpreter, is given credit for the inclusion of the "most favored nation clause" and the absence of an extraterritorial provision (Williams, Journal of the Perry Expedition, vii). W. E. Griffis, Life of Townsend Harris, 258 n. Griffis, Perry, 366 n., cites letter of Williams, February 8, 1883, as to "most favored nation clause."

[43] The Japanese agreed to this as a means of controlling American citizens in Japan.

[44] Additional regulations were signed at Shimoda, June 17, 1854. Article I stated that any Americans "who are found transgressing Japanese laws may be apprehended by the police and taken on board their ships."

such was the first breach in her walls of exclusion. In comparison with the ordinary intercourse between western powers the treaty secured very little, and as such was a source of disappointment in certain quarters. But when viewed in the light of Japanese history for two hundred years it was a real achievement. Century-old laws had been set aside. Ports were opened for American shipping. Shipwrecked mariners were no longer to be treated as criminals, and the beginnings of commerce were to be tolerated. Commodore Perry had carried out his instructions well. Without the use of force he had secured all that could have been hoped for, and far more than many dared expect.

This study would be incomplete if some effort were not made to discover the reasons for Perry's success. They lie deeper than the surface. Much credit is certainly due to the commodore himself. As Dr. Paullin has so excellently said: "Perry's success was in no small measure the result of a rare combination of strong qualities of character—firmness, sagacity, tact, dignity, patience, and determination."[45] It is easy to imagine how such an enterprise might have turned out if its commander had not possessed some or all of these qualities. The story of the contact between western and eastern peoples is not always such pleasant reading as is the narrative of Perry's voyage.

[45] Paullin, 281.

Much importance has been placed upon the imposing armament which supported Perry's demands, and a false interpretation has been given to it. Typical of this attitude is Douglas's statement: "At Yedo the consternation was not less than at Uraga; and it was further accentuated by the announcement that, if Commodore Perry's request met with a refusal, he should open hostilities."[46] But Perry had no such instructions or intentions. His instructions stressed the point that he was engaged in a pacific mission, and that he was to resort to force only in self-defence. He was to secure concessions by argument and persuasion; but if no assurance was given for the good treatment of our seamen, he was to state that for future acts of cruelty the Japanese would be severely chastised. When, on the way to the East, Perry outlined a plan for seizing one of the Ryukyu Islands as a port of refuge, he was again instructed that he must not use force, except for defence and self-preservation.[47] On the way to Japan the men were thoroughly drilled and the ships kept in perfect readiness, and as they entered the bay "the decks were cleared for action, the guns placed in position and shotted, the ammunition arranged, the small arms made ready, sentinels and men at their posts, and, in short, all the preparations made, usual before meet-

[46] Europe and the Far East, 153.

[47] 33d Cong., 2d sess., S. Ex. Doc. No. 34, pp. 12–14.

ing an enemy."[48] But these were measures for defence, and were based upon the hostile reception of the *Morrison* in 1837 and the character of the exclusion laws. During the negotiations no threat of opening hostilities was made. At most, Perry informed the Japanese that he would land and deliver the President's letter if it was not properly received, would consider his country insulted if the letter was not received and duly replied to, and would not hold himself accountable for the consequences. Perry also let the Japanese know that he would return with a larger squadron in the spring.[49]

In his despatch to the secretary of the navy of August 3, 1853, Perry mentioned the fortifications which had been erected, probably in order to expel the Americans from Japan, but stated that with his augmented force he could penetrate to within three or four miles of Yedo. In reply to this the President warned him "that the great end should be attained, not only with credit to the United States, but without wrong to Japan;" and the secretary of the navy reminded him that his mission was of a peaceful character, "and that, although in consideration of the peculiar character of the Japanese much importance may well be attached to the exhibition of impressive evidences of the greatness and power of our

[48] Hawks, I, 231.

[49] 33d Cong., 2d sess., S. Ex. Doc. No. 34, pp. 47–49.

country, no violence should be resorted to except for defence."[50]

On his return voyage to Japan, Perry outlined, while at Ryukyu, his course of action.[51] He again decided to take the island of "Great Lew-Chew" under the "surveillance of the American flag" should the Japanese refuse to assign a port of resort for our merchant and whaling ships. His former visit had convinced him that this could be done without bloodshed, nor would he use force save in self-defence. Happily the successful outcome of the treaty negotiations relieved Perry from taking this step, for his conduct would certainly have been disavowed, as the President replied that he would not act without the authority of Congress.[52]

During the second visit of the expedition there was one episode which contained a suggestion of the use of force at some future time. After receiving, on March 8, the reply to the President's letter which granted the requests for the kind treatment of seamen, the furnishing of provisions, supplies, and coal, and the opening of Nagasaki (which was a port "in the southern part of the Empire"), Perry believed that "something still more advantageous might be gained," and considered it good policy "to hold out

[50] 33d Cong., 2d sess., S. Ex. Doc. No. 34, p. 57.
[51] Ibid., p. 109.
[52] Ibid., pp. 112–113.

for a specific treaty,"[53] as he had been instructed.[54] He therefore replied that, "though the propositions set forth in the communication of your highness furnish strong evidence of the enlightened spirit with which the Imperial commissioners are disposed to meet the suggestions which I have had the honor to submit, they fall far short of my anticipations, and I do not hesitate to say that they would not satisfy the views of the President." His instructions, he said, required him to look "for an intercourse of a more enlarged and liberal character," and he urged the necessity of opening as many ports as were open in China (five) free from any restrictions "not recognized by the usages of free and independent nations." He urged, furthermore, the need of a written compact "that will be binding as well upon the citizens of the United States as the subjects of Japan;" and he expressed the sincere desire of his heart to bring these negotiations to an amicable and satisfactory termination, "as well to save time as to prevent the necessity of sending from America more ships and men, and possibly with instructions of more stringent import."[55]

This was a threat, and as such it aroused the indignation of Dr. S. Wells Williams, the missionary-in-

[53] 33d Cong., 2d sess., S. Ex. Doc. No. 34, p. 127.
[54] Ibid., p. 8.
[55] 33d Cong., 2d sess., S. Ex. Doc. No. 34, pp. 138–139.

terpreter, who had to translate the letter.[56] But it referred to possible future action, over which the commodore could have no control; and so well had he estimated the situation that the negotiation of a treaty was soon in process, without further reference to additional ships and men. The five ports were reduced to two, but the matter of unrestricted trade was postponed for an indefinite period.

These facts have been narrated to show that the American government had no hostile intention in furnishing Perry with a respectable naval force, that the commodore was repeatedly reminded that his mission was one of peace and that force was to be used only in self-defence, and that he neither threatened the Japanese nor considered using force against them. On this point we have the testimony of the outspoken critic, Dr. S. Wells Williams: "The appointment of a naval man as the envoy was wise, as it secured unity of purpose in the diplomatic and executive chief, and probably Perry is the only man in our navy capable of holding both positions, which has been proved by the general prudence and decision of his proceedings since he anchored at Uraga last July."[57] It was

[56] Williams, Journal of the Perry Expedition, 129. But he soon realized that Perry was right in trying to secure a treaty.

[57] Williams, Journal of the Perry Expedition, 222. "The best friend the Japanese had in the squadron became convinced that they would suffer no evil from a man of Perry's principles, and he maintained through his life a feeling of pro-

the evidence of force, not in the fleet but in the modern nation behind the fleet, which worked upon the minds of the Japanese observers.[58]

But back of the commodore and his "black ships" there lay other causes which entered into the sum total of achievement. Prominent among these must be reckoned the presence of the Dutch at Nagasaki. For two hundred years, while the great gates of Japan were closed, they held open a wicket through which some knowledge of the western world entered, and out of which passed most of the information concerning Japan which the West obtained. It was the Dutch who called to the attention of the Japanese the changes which were going on in the world at large: the use of steam in navigation, with its shortening of trade routes and its indifference to the formerly all-important monsoons; the increase in world commerce with China, and the insistence of Britain that her merchants be decently treated and that national intercourse be on terms of equality; and finally the news that a single western power had opened hostilities with the Middle Kingdom and in a brief campaign

found gratitude that such a man had been providentially designed to perform this difficult mission. If he was one who admitted none to his councils, he at least needed no prompting to be just" (F. W. Williams, editor, in Williams, Journal of the Perry Expedition, v).

[58] Biddle in 1846 had two imposing ships, Perry in 1853 had but four.

humbled the old giant of the East.[59] These were tidings of immense import, and there were some Japanese who were able to appreciate their significance.

The letter of William II to the Shogun in 1844, and the draft treaty submitted in 1852 by Mr. Curtius, a special agent from Java, indicate the interest taken by Holland in opening Japan to general intercourse on better terms than she herself enjoyed. After Perry's successful mission the Dutch minister of the colonies issued an official report[60] pointing out "the persevering and disinterested efforts" which the Dutch government had made to cause Japan to mitigate her system of exclusion. No one would deny the influence exerted by the Dutch; and yet the fact remains that it was not Holland, with her centuries of intercourse, which succeeded in breaking down the barriers, but the United States. And it may at least be doubted whether the Dutch, with their long record of subserviency, could have secured so great a change in the Japanese system as Perry, insisting upon the rights and the dignity of his nation, was able to obtain.

Another European factor to be considered is Rus-

[59] While Perry's squadron was at Shimoda in 1854 some of the officers saw a Japanese book describing the Anglo-Chinese war of 1839–42 (Williams, Journal of the Perry Expedition, 182).

[60] Hawks, I, 64–69.

sia.[61] It was the Russian advance which really alarmed the Japanese in the nineteenth century. By 1713, Russian explorers had passed down the Kurile Islands from Kamchatka almost to Hokkaido. In 1739 and 1768 Russian vessels reached Awa Province, not far from Yedo, and in 1778 they visited Hokkaido.[62] The Japanese now took alarm, and on investigation found that Kamchatka and some of the Kurile Islands, hitherto claimed by Japan, had been occupied by the Russians. This discovery led to the publication of a remarkable book on coast defence (Kai-koku Hei-dan) by Hayasahi Shibei, who had associated with the Dutch at Deshima, in which he advocated the building of ocean-going vessels and the fortifying and strengthening of the defences of Yedo Bay. He was imprisoned for his audacity; but when Lieutenant Laxman arrived at Hakodate in 1792, ostensibly to return some shipwrecked Japanese seamen but really to seek the opening of trade between Japan and Russia, his foresight was recognized. Just at this time commissioners from Yedo were investigating the situation in the North. Their report and the visit of the Russians caused steps to be taken for the establishment of Japanese control over Hokkaido. The western half was entrusted to the Daimyo of

[61] Renewed interest in early Russo-Japanese relations is indicated in an interview with Count Okuma in Shin-Nippon, August, 1916.

[62] Brinkley, 658.

Matsumae, and the eastern half was taken under the direct control of the Shogunate.[63] Furthermore the coast daimyos were to reestablish the forces for the defence of the seacoast.[64]

In 1804 came the formal but unsuccessful attempt of Resanoff, sent to Nagasaki as a special ambassador. This was followed by the raid on Saghalien and some of the Kurile Islands by the Russians in 1806.[65] Annually, between 1811 and 1814, Russian ships visited the northern islands, the first being the ship of Captain Golownin, who was taken prisoner. Efforts were also being made in each country to learn about the other. Catherine II established a Japanese professorship at Irkutsk, and there, in 1805 and 1806, Klaproth, the Orientalist, studied under a Japanese professor who had embraced the Greek religion.[66] In Japan, scholars translated some Russian works. The Japanese, therefore, knew something of the Russians, and were alarmed at their advance, so that the appearance of Admiral Poutiatine at Nagasaki, on August 22, 1853, with a squadron of four vessels, must have lent weight to the President's letter delivered by Perry the month before. Yet the Russians were unable to secure the treaty they desired. They

[63] Ibid.

[64] S. Akimoto, Lord Ii Naosuke and New Japan, 92.

[65] W. G. Aston, "Russian Descents in Saghalien and Itorup in the years 1806–1807," in Trans. As. Soc. Japan, vol. I.

[66] R. Hildreth, Japan as it Was and Is, II, 199.

sailed away and returned to Japan the next spring before Perry arrived, but were again unsuccessful. Commander Adams, who was present at Shimoda in 1855, when Admiral Poutiatine finally negotiated a treaty, records that the Japanese "appeared to entertain no good will toward the Russians."[67] The latter, however, served to stimulate thought among the Japanese concerning coast defence and maritime intercourse, and must have contributed to the state of mind which brought success to Perry.

Finally, credit is certainly due to those Japanese who, in spite of the oppressive laws of the time, sought to obtain all available information concerning the West. Such were Watanabe and Takano, who in 1838 advocated foreign intercourse, only to be arrested and punished. Finally both committed suicide.[68] Others were the early students of Dutch medicine, whose reading led them to a knowledge of other western subjects;[69] and there were some who

[67] Hawks, I, 511.

[68] "That the Restoration should have been combined with the opening of the country and the adoption of a policy of enlightened progress was a surprise to all. . . . No inconsiderable amount of credit, however, must in this respect be given to patriots and servants like Sihei Hayashi, Kwazan Watanabe, Choei Takano, Shozan Sakuma and others" (Prince Ito, quoted in S. Ballard, "Sketch of the Life of Watanabe Noboru," in Trans. As. Soc. Japan, vol. 32, p. 1). See also K. Mitsukuri, "The Early Study of Dutch in Japan," in Trans. As. Soc. Japan, vol. 5, part I, pp. 207–216.

[69] See Professor Ukita in S. Okuma, Fifty Years of New Japan, II, 134–160.

strove to master the history, philosophy, military art, and government of the West.[70] Some of these scholars were officials in the various fiefs, and were able to exert a liberal influence upon their lords. In other cases the daimyos themselves encouraged western studies, in the face of the restrictive laws of the time. For instance, Lord Hotta, who later negotiated the commercial treaty of 1858, had long encouraged the study of western science and foreign affairs among his clansmen.[71] In 1841 he sent two physicians to study Dutch medicine at Nagasaki, and the next year opened a medical institution at his capital, Sakura. He also encouraged the study of the Dutch language, science, and military art, and he revised the military regulations of his clan, introducing muskets in the place of flint-locks, and creating cavalry forces. His liberal attitude in 1858 was, therefore, based on long conviction. As Nagasaki was an imperial city, under the direct rule of the Shogunate, it happened that Tokugawa officials who had gained some knowledge of foreign affairs through their intercourse with the Dutch were frequently transferred to Yedo, and were able to voice their opinions there. It was but natural that among the officials at Yedo there should be a better understand-

[70] About 1740 the importation of foreign books was allowed except those relating to Christianity (Brinkley, 614).

[71] Satoh, Lord Hotta, 21–24.

ing of the spirit of the age than among many of the daimyos who held no position in the administration and who spent only half their time in the capital.[72]

With these facts in mind it becomes evident that there were favoring agencies at work which Commodore Perry little understood. And yet this fact should not lead us to underestimate the services of the naval diplomat. Captain Brinkley adopts a dubious tone in his latest work. "Much has been said about Perry's judicious display of force and about his sagacious tact in dealing with the Japanese, but it may be doubted whether the consequences of his exploit did not invest its methods with extravagant lustre."[73] But after due credit is given to Holland and to Russia and to the Japanese pioneers in western education, the fact remains that neither Holland nor Russia was able to secure a treaty of any sort, nor were the liberals able to persuade the Shogunate to repeal voluntarily the exclusion laws. The treaty was won by America because, at a time when many elements were favorable, she sent out a special mission, well equipped, and led by a man well qualified for the work at hand. It requires little imagination to conceive of some of the errors in judgment which might

[72] Dr. Williams remarked on the courtesy, decorum, open-mindedness, and general good sense of the officials (Williams, Journal of the Perry Expedition, 226).

[73] Brinkley, 666.

have brought the expedition to disaster. That he succeeded where others had failed, and that he left behind a reputation for courtesy as well as dignity, and for good-will as well as strength, will always remain to the credit of Commodore Matthew Calbraith Perry.

CHAPTER II

Townsend Harris, First Consul-General

The news that Commodore Perry had succeeded in concluding a treaty with Japan was received with mingled feelings among western peoples. Those who realized best the situation in Japan appreciated the importance of Perry's work. But there were others who believed that he had not gone far enough, and that a commercial treaty should have been secured. On this point the commodore had no illusions.

> The treaty with Japan professes to be nothing more than a compact, establishing between the United States and that empire certain obligations of friendly intercourse with, and mutual protection to, the citizens and subjects of the contracting powers, and granting to American citizens rights and privileges never before extended to strangers. This treaty, in its concessions on the part of the Japanese, far exceeds the most sanguine expectations, even of those who, from the first, advocated the policy of the Japan expedition. It purports to be a preliminary, and surely a most important step, in advance of a commercial arrangement to be agreed upon when the Japanese government may be better prepared by a more perfect knowledge of the usual requirements of international law and comity to enter upon additional pledges.[1]

The commodore believed that the reasons advanced by the Japanese for postponing open commerce were

[1] Hawks, II, 185.

good, and he also felt, and rightly too, that if the growth of liberal views were not destroyed by the conduct of merchants who sought to secure advantages not specified by the treaty, there would soon come commercial treaties and the development of a valuable trade. From every point of view it was desirable to make haste slowly in bringing Japan into intercourse with the world at large.

The success of Perry incited the powers most concerned to renewed efforts to secure treaty rights in Japan. An additional stimulus was present in the breaking out of the Crimean War and the alliance of England and France with Turkey against Russia in March, 1854. It was at once planned to carry the war into the East,[2] and an allied expedition against the Russian naval station of Petropavlovsk, in Kamchatka, was considered.[3] This plan made it more desirable than ever that the ships of the warring powers might take refuge and find supplies in Japanese waters. The Japanese, however, who promptly learned of the war, were anxious to avoid aggression by either party, so that when Admiral Sir James Stirling, with a

[2] It is interesting to note that the North American possessions of the Russian American Company and the Hudson's Bay Company were protected by a convention of neutrality (H. H. Bancroft, History of Alaska, 570–572).

[3] Petropavlovsk was unsuccessfully attacked in August, 1854, and was abandoned by the Russians the next year, before the allied squadron arrived in June.

squadron of four vessels, entered Nagasaki on September 7, 1854, he had little difficulty in obtaining a treaty.[4] This treaty was somewhat less liberal than Perry's, although it contained a "most favored nation" clause which secured for the British all that Perry had gained. This convention of October 14, 1854, opened the ports of Nagasaki and Hakodate to British ships for effecting repairs and for obtaining fresh water, provisions, "and other supplies of any sort they may absolutely want for the use of the ships." Ships in distress might enter other ports. "British ships in Japanese ports shall conform to the laws of Japan. If high officers or commanders of ships shall break any such laws, it will lead to the ports being closed. Should inferior persons break them, they are to be delivered over to the Commanders of their ships for punishment." This was a crude sort of extra-territoriality, the last sentence being similar to a portion of Article I of the additional regulations to the American treaty. In the "most favored nation" clause an exception was made for "the advantages accruing to the Dutch and Chinese from their existing relations with Japan." The last clause contained this remarkable statement: "When this Convention shall be ratified, no high officer coming to Japan shall alter it." Gubbins thinks that "this was evidently

[4] Parliamentary Papers, 1856, Com. 61 (cited as P.P.); J. M. Tronson, Voyage of the *Barracouta*.

intended to place on record the high-water mark of Japanese concessions."[5] The brief and rather informal nature of the document would lead one to believe that the admiral was primarily interested in the work at hand,—the opening of ports to British war ships, and that he was willing to allow the question of further concessions to be left to a more suitable time. Thus when the admiral returned the next year to exchange the ratifications, an exposition of the treaty was agreed to which considerably broadened its meaning. This exposition will be noted later.

Two months after Stirling had signed this treaty, his antagonist, Vice-Admiral Poutiatine, appeared at Shimoda with a single vessel, the *Diana*. This was his fourth visit to Japan. His earlier visits, with a more imposing force, had been unsuccessful. This time he lost the only ship that he had, and yet, marooned and powerless, he was able to negotiate the wished-for treaty.[6] This indicates perhaps better than anything else that the Japanese concessions were not based on the presence of force.

[5] Gubbins, The Progress of Japan, 62, 232–235.

[6] The *Diana* was severely damaged in the great earthquake and tidal wave of December 23, 1854. She later foundered while on the way to a harbor, about sixty miles from Shimoda, where she could be heaved down. Captain McCluney, of the *Powhatan*, furnished the Russians with such supplies as he could spare, and they finally reached Petropavlovsk in the American schooner *C. E. Foote* (Hawks, I, 390, 511).

The Russian treaty of February 7, 1855, was more like Perry's treaty. Three ports were opened to Russian ships, Shimoda, Hakodate, and Nagasaki; shipwrecked men were to receive good treatment; trade was to be permitted at Shimoda and Hakodate; a consul would be named by Russia at one of the latter ports if she deemed it necessary; and the "most favored nation" clause was inserted. New clauses were those which defined the Russo-Japanese boundary in the Kurile Islands but left the boundary in Saghalien unmarked, and which introduced the full principle of extraterritoriality in these words: "Tout individu qui aurait commis un crime peut être arrêté, mais il ne peut être jugé que selon les lois de son pays." The unrestricted trade at Shimoda and Hakodate, permitted by the fifth article, was reduced to a regulated trade by the explanatory articles which accompanied the treaty, so that, as under the American treaty and regulations, no trade could take place save through the mediation of Japanese officials.[7]

The next statement of foreign rights in Japan came with the exposition of the British treaty, which was agreed to at Nagasaki on October 18, 1855, when Admiral Stirling returned with the ratified treaty. This document rounded out the brief terms of the earlier convention. But in connection with the third article it was agreed that "ships of war have a general right

[7] Texts in Gubbins, The Progress of Japan, 235–237.

to enter the ports of friendly powers in the unavoidable performance of public duties, which right can neither be waived nor restricted; but her Majesty's ships will not enter any other than open ports without necessity, or without offering proper explanations to the Imperial authorities." And this proviso was attached to the fourth article: "It is not intended by this Article that any acts of individuals, whether high or low, previously unauthorized or subsequently disapproved by Her Majesty the Queen of Great Britain, can set aside the Convention entered into with Her Majesty alone by His Imperial Highness the Emperor of Japan." An interesting provision was to the effect that "all official communications will hereafter, when Japanese shall have time to learn English, be made in that language."[8]

While these various negotiations were in progress the Dutch continued to trade under the old regulations at Nagasaki. So irksome were the restrictions there that Commodore Perry had deliberately refused to accept Nagasaki as an open port; and although the port was to be open to British and Russian ships, no provision was made for trade. The Dutch naturally desired to improve their status and to be freed from the restraints which they had so long endured. On No-

[8] Article VII of additional regulations to the American treaty, June 17, 1854, provided that the Chinese language should not be employed in official communications, except when there was no Dutch interpreter.

vember 9, 1855, the Netherlands commissioner in Japan, Mr. J. H. Donker Curtius, signed a preliminary convention, which was to become void if a treaty were signed soon after, but which would remain in force if ratified by both rulers.[9] The convention provided, however, that of the twenty-nine articles all but eight were to go into immediate operation, and of those excepted, one was to date from December first and the others from January first. This preliminary convention was followed by a treaty signed on January 30, 1856,[10] the ratifications being exchanged on October 16, 1857. All the stipulations, however, came into operation on its signature. A comparison between the preliminary convention and the formal treaty shows that aside from a few slight changes the only important difference was the withdrawal of the article providing for the sale of dwellings and warehouses and the lease of the ground at Deshima to the Dutch. The change in status of the Dutch really came, therefore, with the signature of the preliminary convention.

The terms of this convention indicate the sort of regulations which the Dutch had to endure, and from which they were now freed. From December 1, 1855, the Netherlanders would enjoy full personal freedom

[9] Gubbins, The Progress of Japan, 245–250. Townsend Harris believed that he saw a copy of the ratified Japanese text in October, 1856. The Japanese officials denied that it had been ratified (Griffis, Harris, 125).

[10] Gubbins, The Progress of Japan, 250–255.

and would be allowed to leave Deshima at all times without an escort. Salutes from small arms and even from cannon might be fired at the funeral of Dutch soldiers and seamen. The Dutch ships need no longer give hostages on entering the harbor. The crews might row from ship to ship or to Deshima or around the bay for recreation (when a captain or mate was with them), but they could land at no place but the water gate of Deshima. Building and repairs might be done by Japanese workmen after previous notice to the governor of Nagasaki. The land gate of Deshima was still to be guarded by Japanese, and merchant sailors were to be searched there. In matters of courtesy the Japanese would follow Japanese forms, and the Netherlanders their national forms. The Dutch might now send letters by Chinese junks or foreign ships, and they might communicate by letter with the commanders of ships of friendly nations in the bay. Their merchant ships might now retain their gunpowder and arms. The presents to the Emperor (Shogun) and the annual presents to the local officials were to be continued. Finally no alteration was to be introduced in the manner in which the trade with the factory was carried on. So far these articles were concerned with freeing the Dutch from century-old restrictions, and the work was not finished. Two clauses were of importance. One provided for extraterritoriality, and the other granted the "most favored nation" privileges.

Such were the treaties of 1854 and 1855. By the use of the "most favored nation" clause the sum total of foreign rights in Japan was the privilege of resorting to Shimoda, Hakodate, and Nagasaki for supplies; of carrying on trade at these ports under Japanese regulations and through Japanese officials;[11] of residing at Nagasaki, a right which did not apply to women and children; and of appointing consuls at Shimoda and Hakodate.

While Commodore Perry and other observers feared that the foreign merchants would endeavor to take advantage of their status and insist upon commercial rights not conferred by the treaties, thus stirring up trouble and delaying the negotiation of true treaties of commerce,[12] the Japanese were quite as anxious to grant no more than the letter of the treaties.

In February, 1855, a French ship appeared at Shimoda with the object of returning two Japanese shipwrecked seamen. But the authorities would have nothing to do with the ship, refused to accept the seamen, and ordered the vessel away. They insisted that they had "no treaty with France, and French vessels had no right to come there under any pretext." The seamen were finally landed by way of the

[11] No trade at Nagasaki was attempted under these treaties by any save the Dutch.

[12] Hawks, II, 187.

American ship *Powhatan,* thus seeming to come from the ship of a treaty power.[13] In March an American merchant ship put into Shimoda, the owner's intention being to proceed to Hakodate as soon as that port was opened and establish there a store for supplying whalers with ship chandlery; but the Japanese protested successfully against the residence of Americans at either port.[14] In August an American schooner, the *Wilmington,* visited Shimoda and later Hakodate, but was unable to trade at either place.[15] The American ships of war which visited these ports during this period were hospitably received and well treated.[16]

It would be well now to note the attitude of the Japanese in regard to these changed relations. As far as the foreigners were able to meet the people near the ports they were impressed with their general friendliness. This attitude was evident during the brief excursions about Yokohama and Shimoda, and it was in striking contrast to the attitude of the

[13] Hawks, I, 511.

[14] Ibid., I, 390–391. Griffis, Perry, 133–134. The first American ship to visit Japan after the treaty was the *Lady Pierce,* of San Francisco, which visited Yedo Bay and Shimoda in July, 1854 (Hildreth, II, 312–313).

[15] Nitobe, Intercourse between the United States and Japan, 64; U. S. Commercial Relations, 1855, vol. I, p. 508.

[16] *Susquehanna* and *Mississippi* visited Shimoda in September, 1854, *Powhatan,* with the ratified treaty, January–February, 1855. *Vincennes* visited Shimoda and Hakodate, May–June, 1855 (Hildreth, II, 314).

Chinese about the treaty ports.[17] The officials also made an excellent impression, which was again in contrast to the experience which western representatives had had in China.[18] Bayard Taylor records that "it was the unanimous opinion of all our officers that they were as perfect gentlemen as could be found in any part of the world,"[19] and Wells Williams said that "in no country could more agreeable and kind-hearted men be found than old Yendo and Fuzhiwara at Hakodadi." To be sure the Americans spoke of the "well known duplicity"[20] of the Japanese, and of their "artful and dissimulating policy;" but suspicion is a natural element of relations between strange peoples, and doubtless the Japanese were quite as suspicious of American cunning, duplicity, and dissimulation.[21] The use of censors or spies to report on the conduct of their own officials impressed the

[17] For the comparison between Japan and China see Hawks; Williams, Journal of the Perry Expedition, and "Lecture on Japan," in Journal of North-China Branch of Royal Asiatic Society, No. II, May, 1859; L. Oliphant, Narrative of the Earl of Elgin's Mission to China and Japan; E. B. De Fonblanque, Niphon and Pe-che-li; Griffis, Harris.

[18] Williams, 226.

[19] Taylor, 434.

[20] Some of these early statements were revised when Hawks compiled the narrative of Perry's mission.

[21] For early Japanese suspicions see Clement, "British Seamen and Mito Samurai in 1824," in Trans. As. Soc. Japan, vol. 33, part I.

Americans,[22] and the surveillance to which they were subjected on shore was the occasion for protest. When Captain Adams visited Shimoda in 1855 he wrote:

> I found the Japanese during my visit much more disposed to be friendly and sociable than formerly. Our officers roamed where they pleased over the country and the villages, and were welcomed everywhere. There was no attempt to watch or follow them. . . . An anxious wish was expressed by these people that trading vessels from America would soon begin to visit them, and the governor of Simoda intimated to me that it would be very agreeable to him personally if a consul from the United States should be appointed to reside at Simoda. They were eager to obtain books on medical or scientific subjects, and many valuable works were presented to them by Dr. Maxwell and others. Indeed, they were glad to receive books on any subject except religion. They told me they had learned how to manage the locomotive engine sent to the Emperor by the United States government, but the magnetic telegraph was too hard for them.[23]

The Americans were impressed on all sides by the eagerness of the Japanese to learn about the new and strange things in use among the foreigners. The visitors to Perry's flag-ship studied with interest the weapons, from Colt revolvers to Paixhan cannon; they descended into the engine-room and watched the

[22] Captain Brinkley compares this to the secret-service force employed by all European states (635n).

[23] Hawks, II, 209. The governor of Shimoda sent off to Captain Adams a bundle of religious books left clandestinely by Chaplain Bittinger, of the *Susquehanna,* in 1854 (ibid., I, 512).

machinery in motion; and they observed keenly the manoeuvres of the crew at general quarters.[24] Many of the Japanese were engaged in sketching the Americans and their belongings and in taking copious notes. In the library of the Imperial University at Tokyo are some of the original drawings, portraying with remarkable exactness ships, sailors, armament, and equipment, down to details of the wearing apparel of the crew. These drawings were prepared for the use of the Yedo officials and certain of the daimyos. On the second visit Wells Williams saw a book of twenty pages giving neat and accurate drawings and diagrams of cannons, guns, revolvers, swords, and other arms.[25] It was printed in Yedo in October, after the first visit, and he believed it was a digest of what was seen aboard the *Susquehanna,* "though the author must have had some European work on gunnery to copy his drawings from." Later at Shimoda some of the officers saw a pictorial representation and description of the squadron, and an account of the war between England and China.[26] Nitobe sums up the period as follows:

> Immediately after Perry's squadron had left the Japanese waters, the rulers of the country, whether actuated by clear

[24] Ibid., I, 248, 358. Harris was told in 1857 that the Japanese had cast 1000 brass howitzers like those given them by Perry (Griffis, Harris, 112).

[25] Williams, Journal of Perry Expedition, 110.

[26] Ibid., 182.

foresight and comprehension of the moment, or whether impelled by that mental confusion which attends sudden awakening from slumber and apprehension of the next moment, were aroused to immediate activity. Schools were opened for the study of foreign languages; academies shot up, where youths could receive instruction in military and naval tactics; raw recruits were drilled; foundaries and smithies sprang into existence, and belfries were molested to furnish metal for arsenals.[27]

Japan was torn between two lines of action. One was respect for the long-standing laws of the realm, the other was obedience to the appeal of new ideas. The first was negative, but the second called for positive action; and although the pressure came from without, yet the Japanese themselves eventually accepted the second course.

The officials at the open ports were by no means representative of the ruling classes at this time. They were acquainted with the foreigners, and could understand the necessity of dealing fairly with them, but in the interior few of the daimyos or their retainers possessed such knowledge, and among them respect for the old laws and hostility to foreign intercourse were strong.

At the capital of the Shogunate the situation was complicated by other questions. The treaties had

[27] Nitobe, Intercourse between the United States and Japan, 62. Two steam vessels were purchased in Holland and shipyards were established at Nagasaki (Griffis, Harris, 69). See also Trans. North-China Branch of Roy. As. Soc., II, 211–221.

been concluded without the Mikado's sanction, but that difficulty was removed when in February, 1855, the Mikado approved the first treaties with America, Great Britain, and Russia.[28] The influence of the Shogunate at Kyoto was still supreme, although for some sixty years ill-feeling had persisted,[29] and the opponents of the Shogun's foreign policy had not yet realized the importance of causing a breach between the two courts on this question. The majority of the councillors of the Shogunate were convinced of the wisdom of foreign intercourse. The Roju, or Cabinet, was presided over by Lord Abe, who had directed the treaty negotiations. A second council, of increasing importance, was the Tamarizume, or lords of the ante-chamber, a majority of whose nine members also favored the treaties, under the influence of Lords Ii and Hotta.[30] But the Sanke, the three noble Tokugawa houses, led by the senior prince of Mito (Lord Nariaki),[31] were bitter opponents of the new policy. It was a serious thing for a small group of officials to oppose not merely the imperial court and the great mass of the daimyos, but also the Three Families, which were supposed to be the strongest supporters of the Tokugawa Shogunate. All the more credit, therefore, is due to Hotta and Ii and their as-

[28] Gubbins, Progress of Japan, 100.
[29] Brinkley, 630.
[30] Brinkley, 636; Akimoto, 125–127.
[31] He had resigned his fief in 1853.

sociates for risking their all in order to bring the nation peaceably into contact with the rest of the world.

A struggle now developed between the Sanke and the Tamarizume for the control of the Cabinet, and in August, 1855, Lord Nariaki gained the upper hand and succeeded in having two of the pro-foreign ministers dismissed. In November, however, Lord Hotta, one of the leaders of the pro-foreign party, was appointed to the presidency of the Cabinet, and Lord Abe stepped down to the second place.[32] This was a great blow to Lord Nariaki and the exclusion party, and Nariaki could not fathom its meaning, but others realized that Lord Ii and the Tamarizume had been able to wield enough influence to checkmate the Sanke.[33] By this time a well developed feud was on between Lord Nariaki and his followers and Lord Ii and his. The foreign question was, however, but one of many points of difference, and it could not stand upon its own footing when state decisions had to be made. In addition a bitter controversy was brewing as to the appointment of an heir to the Shogun, Iesada. Lord Nariaki urged the claims of his son, Lord Hitotsubashi, and a powerful party supported them. But the Shogun and his confidential officials, including Lord Ii, favored the young Lord of Kii

[32] Satoh, Lord Hotta, 30.
[33] Akimoto, 138.

(Kishiu). We shall see how this decision became involved with the later treaty negotiations.

Even among daimyos and officials who were reconciled to the necessity of negotiating the first treaties there was a strong feeling that enough concessions had been made, and that it would be possible to hold the foreigners aloof, with only three points of very limited contact. It was the arrival of the first consul to be appointed under the treaties which precipitated a new crisis in foreign affairs.[34]

Once again the United States was most fortunate in the choice of its representative. Townsend Harris[35] was born on October 3, 1804, at Sandy Hill, Washington County, New York.[36] From 1817 until 1848 he was engaged in business in New York, and among other civic duties served for two years as

[34] Although Donker Curtius had resided at Nagasaki since 1852 he was looked upon by the Japanese as a commercial agent in charge of the Dutch post at Deshima His title of factory superintendent had been raised by his government to that of Netherlands commissioner in Japan, and he was given full powers to negotiate treaties (Gubbins, Progress of Japan, 65).

[35] His journal is printed in Griffis, Life of Townsend Harris.

[36] His grandfather's home was burned during Burgoyne's expedition, and his grandmother brought him up "'to tell the truth, fear God, and hate the British,' and all three things he did all his life" (Griffis, Harris, 4). This injunction may furnish a partial explanation of his troubled relations later with Rutherford Alcock, the British minister.

president of the Board of Education. Later he was instrumental in founding the Free Academy, which has developed into the splendid College of the City of New York. In 1848 he embarked upon a trading voyage to California and the Far East, and for the next seven years he was engaged in the eastern trade, gaining a useful knowledge of the countries and the peoples of Eastern Asia, Malaysia, and the Pacific. While in China he made a study of the resources of Formosa, and advocated the purchase of the island in a letter to the secretary of state, March 24, 1854. When it was determined to appoint a consul for Japan, Townsend Harris was selected upon the joint recommendation of Commodore Perry and Senator William H. Seward.[37] He returned to the United States from China, and received his formal appointment on August 4, 1855, later being commissioned to negotiate a commercial treaty with Siam. Harris left New York on October 17 and proceeded by the "overland route" to Penang, where, after a delay of seventy-six days, the U. S. steam frigate *San Jacinto* arrived, bearing his interpreter, Mr. Henry C. J. Heusken, of New York, and the presents for the rulers of Siam and Japan. Reaching Bangkok on April 13, 1856, Mr. Harris succeeded in signing a new treaty with Siam, based on the British treaty of

[37] For. Rel., 1862, p. 816.

1855.[38] It was not until August 21 that the *San Jacinto* entered the harbor of Shimoda.

There now began a struggle between the Japanese officials, eager to whittle away the concessions already granted, and the American consul, anxious to complete the process of opening wide the doors of Japan. Fortunately Harris possessed an open mind and a kindly disposition, so that in spite of early disagreements he was able to retain the opinion formed at his first interview: "We were all much pleased with the appearance and manners of the Japanese. I repeat they are superior to any people east of the Cape of Good Hope." His journal records the steps in his work of enlightenment and shows how he was able to win the confidence of the Japanese, and then, without bluster or threat, break down the barriers which their suspicions and fears had raised.

First of all the Japanese did not wish to receive him. They protested that Shimoda had not recovered from the disastrous earthquake of 1855, and there

[38] Harris's treaty with Siam was based almost exactly upon the British treaty of April 18, 1855. While Harris was at Bangkok Sir Harry Parkes exchanged the ratifications of that treaty and secured some supplementary articles, May 13, 1856. These treaties included a clear statement of extra-territoriality, the free importation of opium but the confining of its sale to the opium farmer or his agents, open trade at all ports, but residence only at Bangkok, freedom of religion and the right to build places of worship, and low import and export duties.

was no place ready for him; he had better go away and return in about a year. Then they asserted that a consul was to come if both nations wished it, not merely the United States alone. Finally they offered him a temporary residence at Kakizaki, on the outskirts of Shimoda. All the while they assured him that they had no intention of breaking the treaty or of refusing to receive him.

The question of his reception and place of residence once settled, other difficulties promptly arose. Harris objected to the presence of Japanese officers in his temple-residence, and after four months of repeated protests they were removed. He also resented the presence of censors or spies during official conferences, and these also were dispensed with. He found that the Japanese were discounting American money heavily; he was unable to secure Japanese servants, and the shopmen were apparently ordered not to deal with his Chinese servants; and the officials would not send written replies to his communications, nor would they return his social visits. All these points were eventually cleared up. Throughout the early entries in his diary Harris frequently complains of the untruthfulness of the officials. On September 11 the journal records:

Had a flare up with the officials, who told me some egregious lies, in answer to some requests I made. I told them plainly I knew they lied; that if they wished me to have con-

fidence in them, they must always speak the truth; that if I asked anything they were not authorized to grant, or about which they wished to consult, let them simply say they were not prepared to answer me; but that to tell lies to me was treating me like a child, and that I should consider myself as insulted thereby; that in my country a man who lied was disgraced, and that to call a man a liar was the grossest insult could be given him; that I hoped they would for the future—if they told me anything—simply tell me the truth, and that I should then respect them, which I could not do when they told me falsehoods.[39]

From this time friendly relations steadily increased. On October 30 the two governors and the vice-governor called upon him at his residence, and the process of instruction in western affairs—beginning with an account of the coast-surveying operations of the maritime powers—commenced. To be sure the attempts at deception did not entirely cease, and on January 8 he bitterly wrote: "They are the greatest liars on earth."[40] But this was a "sweeping generalization" which was only "more or less" correct. In certain cases where he believed the Japanese were deceiving him he was himself in error.[41] And when we make allowance for the inexperience of the officials in dealing with a foreign representative, their desire not to give offense, their fear of incurring the displeasure of the Yedo administration, and the difficulties of

[39] Griffis, Harris, 63.

[40] Ibid., 105; May 26, "However to lie is, for a Japanese, simply to speak" (ibid., 158).

[41] Note in re Dutch treaties, ibid., 136, 137, 47n.

carrying on communications through the use of three languages, it is easy to discount these early observations of one who later became one of the staunchest friends and admirers of the Japanese.[42] As the officials gained more confidence in Harris and found that he spoke the truth and kept faith, their dealings became more straightforward.

Harris had two important missions to perform. One was to present his credentials at Yedo, and the other was to secure, if possible, a real commercial treaty. On the first subject he carried on a correspondence with the Council of State, and engaged in countless interviews with the local officials from October 25, 1856, until September 25 of the next year, when information came that his reception would be granted. As to the second, he received much encouragement from some of the officials: "all agree that it is only a question of time, and Moriyama Yenoske [the interpreter] goes so far as to place it less than three years distant;"[43] and later he was told that the first commercial treaty would be negotiated with him.[44] In the meantime he determined to remedy certain defects in the existing treaty, even though a new and broader one could not be obtained.

[42] Harris's early opinions must be considered in the light of his mature convictions (Griffis, Harris, 105n). See also Oliphant, 345; De Fonblanque, 105.

[43] November 14, 1856. Griffis, 88.

[44] April 15, 1857. Ibid., 146.

The first question was that of the currency. Perry's treaty contained no provision for exchange of currency, and the Japanese insisted upon receiving silver (Mexican) dollars at their bullion value, which meant a discount of sixty-six and two thirds per cent on their currency value.[45] When Harris found this rate of exchange still in force, he promptly asked that the coins be exchanged by weight. His arguments were supported by Commodore Possiet, of the Russian corvette *Olivoutsa,* who brought the ratified Russian treaty. On leaving, Commodore Possiet paid only one third of the Japanese bill for pilotage and boat hire, and left the balance in Harris's hands to await the settlement of the account when a Russian consul should arrive.[46] In reply to Harris's offer to allow five per cent for recoinage, the Japanese assured him that it cost twenty-five per cent, and of course refused his offer to bring out coiners from America who would do the work for five per cent or even less.[47] As on this point there seemed to be a deadlock, Harris wisely proceeded to the other topics he wished to open.

As the Russians had stipulated for the opening of

[45] The silver dollar was worth 4800 sen or cash, but was received at only 1600 (Hawks, I, 479n). One ichibu worth 34 cents (based on Chinese tael at $1.36) was exchanged for a dollar Mexican (Griffis, Harris, 65).

[46] Griffis, Harris, 96.

[47] Ibid., 113.

Nagasaki, Harris asked for this, and promptly obtained it. It will be remembered that Perry distinctly refused to accept Nagasaki as an open port. Harris also asked for extraterritoriality, and "to my great and agreeable surprise this was agreed to without demur."[48] The right to lease ground and to buy, build, and repair buildings was a difficult question. Harris based the demand upon the Dutch treaty of November 9, 1855.[49] He did not know of the treaty of January 30, 1856, which withdrew the clause regarding the sale of buildings and the lease of land at Deshima. This was an instance in which the Japanese were not so untruthful as Harris believed, and the Japanese stood by their refusal to grant this new right. He later saw the new Dutch treaty on November 18, 1857.[50]

The currency question was now reopened, and the Japanese offered to exchange gold and silver coins with a fifteen per cent discount. Harris again stood out for five per cent, and when his three propositions had been rejected he played his last card:

> At last I told them I had something of great importance to communicate confidentially and to them alone. To my sur-

[48] Griffis, Harris, 124. It had already been granted to the Russians and the Dutch.

[49] Ibid., 136–137. One of the interpreters told Heusken that the buildings at Deshima had been sold to the Dutch (ibid., 141).

[50] Ibid., 181.

prise the room was at once cleared of all but the two Governors and Moriyama.

I then read to them an extract from a letter to me from the Secretary of State, which was to the effect that, if the Japanese sought to evade the treaty, the President would not hesitate to ask Congress to give him power to use such arguments as they could not resist.

The fluttering was fearful, the effect strong.[51]

Three days later the discount rate was reduced to six per cent, and Harris eventually accepted this, on their plea that if less were taken the government would lose through the recoinage.[52] It should be clearly borne in mind that this "warning" was concerned with an interpretation of the existing treaty, not with an attempt to secure some new concession from the Japanese.

The last questions to be settled were those concerning the residence of Americans and the rights of consuls. For two months these were the subject of frequent conferences. During this period Harris felt the weakness of his isolation. He had received no word from Washington since he left there in October, 1855.[53] The *San Jacinto,* which was to return in six months, was long overdue. The Russian consul, who would have supported him in his arguments, had not arrived, nor had any French or British vessels visited the port. Although only nine days distant from

[51] Ibid., 129–130.
[52] Griffis, Harris, 132.
[53] Ibid., 152.

Hong-kong, he was "more isolated than any American official in any part of the world." He believed at this time that "the absence of a man-of-war also tends to weaken my influence with the Japanese. They have yielded nothing except from fear, and any future ameliorations in our intercourse will only take place after a demonstration of force on our part."[54] In this respect he was wrong, for without the presence of any of the aids which he so much desired, he was able to carry all his points, through friendly argument alone, and on June 8, 1857, he records the agreement of the Japanese to all the material requests.[55] It took some nine days to settle the wording of the articles, because of the poor knowledge of Dutch possessed by the Japanese interpreters and their desire to have the words in the Dutch version stand in the exact order in which they were found in the Japanese,[56] but on June 17 the convention was signed with due formality by Harris and the two governors of Shimoda.

This was a convention "for the purpose of further regulating the intercourse of American citizens within the Empire of Japan." It contained nine articles.

[54] Ibid., 153.

[55] Griffis, Harris, 159. The first ship to visit Shimoda was the *Portsmouth,* September 8, 1857. See Captain Foote's account in Journal of the Shanghai Literary and Scientific Society, June, 1858.

[56] Griffis, Harris, 161.

The first article opened the port of Nagasaki for supplies. The second permitted, after July 4, 1858, the residence of Americans at Shimoda and Hakodate.[57] The third dealt with the currency and established the exchange of coins by weight, with a discount of six per cent allowed the Japanese for recoinage. Harris was quite unaware of the disastrous effect of this arrangement in a country where the ratio of gold to silver was so much lower than in the neighboring countries. The fourth established American extraterritoriality. The fifth restated the seventh clause of Perry's treaty, to the effect that American ships could pay for their supplies and repairs with goods, if they had no money. The sixth and seventh articles dealt with consular rights, recognizing the right of the consul to travel beyond the treaty limits of seven ri, coupled with Harris's consent not to exercise it "except in cases of emergency, shipwreck, &c.," and permitting the direct purchase of goods for the consul's use without the intervention of any Japanese officials and with Japanese money furnished for the purpose. The eighth article established the Dutch as the true version of the convention, and the ninth de-

[57] As no classes of Americans were named, missionaries could come and reside in Japan, a proceeding which would have occasioned a conflict between the treaty and Japanese municipal law.

clared all the articles to be in effect, except the second.[58]

Thus after nine months of education and persuasion Harris was able to secure some improvement in the status of Americans in Japan. The important clauses were those which dealt with the currency, residence at Shimoda and Hakodate, and consular privileges, for the others were already covered by the Russian and Dutch treaties. But he well realized that he had made only a beginning. "Am I elated by this success?" he wrote. "Not a whit; I know my dear countrymen but too well to expect any praise for what I have done, and I shall esteem myself lucky if I am not removed from office; not for what I have done, but because I have not made a commercial treaty that would open Japan as freely as England is open to us. Besides, it is so easy to criticise, and so agreeable to condemn; it is much more pleasant to write 'imbecile,' 'ass,' or 'fool,' than to say 'able,' 'discreet,' and 'competent,'"[59] Yet in these months he had laid the foundations for his greater successes. He had established a reputation for frankness and fair dealing, for sympathy and understanding, which made him persona grata to the Japanese. While Harris was negotiating at Shimoda, Mr. Donker Curtius was at work at Nagasaki, and on Oc-

[58] Gubbins, Progress of Japan, 266–268.

[59] Griffis, Harris, 160.

tober 16, 1857, he was able to sign additional articles to the Dutch treaty of January 30, 1856.[60] This document contained forty articles, and was longer than the original treaty. It was concerned with removing more of the restrictions which hampered the Dutch trade, but it was by no means a treaty of commerce. Among other things it removed the limit on the number of merchant ships trading in Japan and on the amount of trade, fixed a temporary import duty of thirty-five per cent, made the treasury the clearing-house for all commercial transactions, prohibited the purchase and exportation of Japanese gold and silver coins, created a government monopoly in the sale of various food-stuffs, coal, books, maps, brass-work, copper, weapons, and silk, and restated the extra-territorial and "most favored nation" clauses. Two clauses were especially interesting: one forbade the introduction of opium into Japan, and the other permitted the Netherlanders to practise "their own or the Christian religion" within their buildings or burying-places.

In a supplement to these additional articles the long established practice of giving presents to the Shogun and the local officials was abolished, "considering that the Company trade ceases from henceforth, and no copper may be exported, except by the Imperial Government alone, in payment of goods required."[61] In

[60] Gubbins, Progress of Japan, 255–264.
[61] Gubbins, 264.

written communications the Dutch commissioner was advised[62] that his countrymen might now have their wives and children reside with them in Japan; that negotiations concerning an audience of the highest Dutch official with the Emperor (Shogun) would take place; that negotiations concerning the exportation of Japanese coins were already in progress; that Japan had no idea of concluding a treaty of friendship and commerce with Portugal; and that the trampling on images was abolished, but that the introduction of the Christian worship and the importation of Christian and other foreign religious books, prints, and images would not be allowed.

To the Dutch belongs the credit of inserting in a foreign treaty a prohibition of the introduction of opium. The Japanese did not use opium, and were aware of its evil influence in China, but in none of the earlier treaties was the prohibition found. Dr. Wells Williams in 1853 dreaded the introduction of opium by merchants from the China coast, but could think of no way to prevent it.[63] Harris had an example of the strength of the habit when his Chinese servants seized the opium in two drugshops in Shimoda.[64] If the Japanese had desired to introduce a prohibitory clause,

[62] Ibid., 265–266.

[63] Williams, Journal of the Perry Expedition, 5.

[64] Griffis, Harris, 90.

Harris would certainly have accepted it.[65] In fact the introduction of this clause by the Dutch could hardly be credited to humanitarian reasons alone when their attitude toward opium in Java is considered. No doubt a good deal of interest lay in the fact that an anti-opium clause might not only seriously affect the profits but also disturb the balance of the trade which would be established under the British flag in Japan. The Russians, in their treaty of the next week, accepted this prohibition of the "pernicious trade," and the next year Harris wrote the clause into his great commercial treaty.

The Russian supplementary treaty[66] was signed at Nagasaki on October 24, 1857, by Vice-Admiral Count Poutiatine. It contained many of the provisions of the Dutch treaty of 1856 and the supplementary articles just signed, as well as Harris's agreement for the exchange of coins with a discount of six per cent. New clauses provided that the communications between the governments should be exchanged through the hands of the local governor, and that Russia would respect the neutrality of Japan in case she was involved in a foreign war.

The American, Dutch, and Russian conventions of 1857, in fact and in name supplementary to the first

[65] Note Harris's advice to the Japanese in 1857, in For. Rel., 1879, p. 629.

[66] Gubbins, Progress of Japan, 239–245.

treaties, mark the second phase of the partial opening of Japan. General trade, without the intervention of Japanese officials, was still forbidden, and in other respects the privileges of foreigners were circumscribed. But some advance had been made in the three years, and the time when a real commercial treaty could be negotiated was at hand.

CHAPTER III

The Commercial Treaty of 1858

While Townsend Harris was toilfully working out the details of the convention of 1857, he also kept in mind the more important object of his mission, which was to secure, if possible, an audience of the Shogun and to open negotiations in Yedo for a real treaty of commerce. He therefore requested an interview in order to present a letter from the President of the United States and to make certain communications, with which he was charged, to the proper minister. The Japanese insisted that the letter be delivered at Shimoda and the communication made to the governors there, and even presented an imperial mandate to that effect, only to be dumbfounded at Harris's refusal to yield.[1] In Yedo there was much opposition. The Lord of Mito led the conservatives, but even Lord Abe, recently head of the Roju, was opposed. Lord Hotta favored intercourse and won over the Cabinet.[2] Finally, on September 25, Harris was informed that his request had been granted, permission being based on the precedent of Captain Saris in 1613, and that he

[1] Griffis, Harris, 161. The letter was his letter of credence.
[2] Satoh, Lord Hotta, 42–47.

was to go to Yedo in the most honorable manner and have an audience of the Shogun.[3] With the memory of the experience of foreign diplomats in China over the "kowtow" in mind, Harris feared that some objectionable proposition would be made. But a "faint request that I would prostrate myself and 'knock-head'" was the only reference to the ceremony, and on Harris's statement that the very mentioning of such a thing was offensive the matter was definitely dropped.

Two months were now occupied in preparing for the visit, and on November 23 the start was made. Harris was accompanied by the vice-governor of Shimoda, the mayor of Kakizaki, and the private secretary of the governor. His own train consisted of some eighty men,[4] and the whole party numbered about three hundred and fifty. Three days were spent in crossing the mountain range which isolated Shimoda, but after the Tokaido, or highway, was reached the road was wide and good. Most careful preparations had been made for his coming and he was treated like a lord of the land. On November 30 the journey of one hundred and eighty miles was ended, and Harris was installed in one of the buildings of

[3] Griffis, Harris, 172.

[4] "I shall not take any of my Chinese with me, as the Japanese have a great dislike to the Chinese, and I do not wish to be associated in their minds with the Chinese or any other people" (Griffis, Harris, 173).

the "Office for the Examination of Barbarian Books," near the castle and within the aristocratic quarter of the city.[5]

After a week of hospitality and exchange of courtesies, in which Harris was in charge of eight noblemen appointed as "Commissioners of the voyage of the American Ambassador to Yedo," he was received on December 7 in a most dignified manner by the Shogun. While princes of the blood and members of the Great Council were prostrate on their faces in the presence of the Tycoon, Harris alone stood erect, and addressed the ruler. "After a short silence the Taikun began to jerk his head backward over his left shoulder, at the same time stamping with his right foot. This was repeated three or four times. After this, he spoke audibly and in a pleasant and firm voice what was interpreted as follows:—

'Pleased with the letter sent with the Ambassador from a far distant country, and likewise pleased with his discourse. Intercourse shall be continued forever.'"[6] Mr. Heusken, the interpreter, then stepped

[5] Harris has given an account of this trip in his Journal, and in two letters reprinted in Littell's Living Age, vol. 60, pp. 567–574. In 1879 a Japanese record of the arrangement for Harris's journey and reception was turned over to Dr. David Murray by the successor of Hotta Bitchiu-no-Kami. The documents were translated and published in U. S. For. Rel., 1879, pp. 620–636. They show the careful arrangements for and the honor accorded the American representative.

[6] Griffis, Harris, 229.

forward with the President's letter, which Harris showed to the Tycoon and then handed, in its box, to Lord Hotta, the minister for foreign affairs, who placed it on a lacquered stand before the Shogun. This ended the audience. Harris retreated, made his three bows, and was received by the ministers, who later said that they were filled with admiration to see him stand erect, "look the awful 'Tycoon' in the face, speak plainly to him, hear his reply—and all this without any trepidation, or any 'quivering of the muscles of the side.'"[7] An elaborate banquet was spread before Harris, but he refused to partake of it unless a member of the royal family or the prime minister would eat with him. As Harris had already announced this decision at Shimoda, the Japanese were prepared for his refusal, and the orders of the day called for the sending of all the food to his lodging place, where he distributed it among his retainers. But every arrangement about the feast, the height of the trays and the unvarnished cypress of which they were made, testified to the honor in which Harris was held.

Once again the unexpected had happened. The American flag had been borne through the streets of Yedo and the American consul-general had stood in the presence of the Shogun. Precedents were established which were to govern the reception of other

[7] Littell's Living Age, vol. 60, p. 570.

representatives of the western powers. But although Harris had obtained the desired audience, yet the "real object" of his mission was not yet attained.[8] The first move in this direction was taken when on December 12 he visited Lord Hotta, to make the communication which accompanied the President's letter. In his journal[9] he has given a summary of this most important two-hour conversation, but fortunately the Japanese records contain a much fuller account.[10] The object which Harris had in view was to impress the Japanese with the wisdom of voluntarily abandoning the remaining features of their exclusive system and of coming into full intercourse with the world at large. Happily Harris was dealing with one of the most enlightened of the Shogun's officials, one who had already determined to place foreign relations on a firm basis,[11] and who considered the communication "the most important matter ever brought before the government."[12]

Harris began by pointing out the disinterestedness of the United States. It had no possessions in the East and it made no annexations by force of arms. Improved means of communication, the steamship and the electric telegraph, had brought distant countries

[8] Littell's Living Age, vol. 60, p. 568.
[9] Griffis, Harris, 237–239.
[10] For. Rel., 1879, pp. 627–631.
[11] Satoh, Lord Hotta, 32.
[12] Griffis, Harris, 239.

near at hand. "The nations of the West hope that by means of steam communications all the world will become as one family. Any nation that refuses to hold intercourse with other nations must expect to be excluded from this family. No nation has the right to refuse to hold intercourse with others." Two things were desired in connection with this intercourse: a minister or agent resident at the capital, and free commerce between countries. Misfortunes were threatening Japan. England, dissatisfied with Admiral Stirling's treaty, was ready to make war. She feared Russia's advance to the Amur and Saghalien, which would threaten Manchuria and China, as well as her own interests in the East. If Russia should take possession of Manchuria and China and attack England's possessions, then England would desire to seize Saghalien, Yezo, and Hakodate, in order to defend herself. China had been involved in two wars with England, and with France in the latter case, primarily because there was no foreign agent at Peking. France wanted Korea, and England desired Formosa. The United States would not join these powers in their war; and when the American flag was fired upon at Canton Commodore Armstrong retaliated, but after an explanation was made the hostilities were stopped. He then pointed out the great danger from the introduction of opium, stated that the English desired to introduce it into Japan, and urged that its importation

be prohibited by treaty.[13] After congratulating Japan on its long period of peace, he pointed out that one result of it was to leave the country weak and inefficient; therefore war should be avoided until Japan could become strong.

If Japan had been near to either England or France, war would have broken out long ago. The great distance between the countries is the reason why peace has been preserved thus long. In case of war, a treaty would have to be made at the end of the war. The President wants to make a treaty without any war, and with mutual goodwill and respect. . . .

The President is of opinion that if Japan makes a treaty with the United States, all other foreign countries will make the same kind of a treaty, and Japan will be safe thereafter.

The President wants to make a treaty that will be honorable to Japan, without war, in a peaceful manner, after deliberate consultation. If Japan should make a treaty with the ambassador of the United States, who has come unattended by military force, her honor will not be impaired. There will be a great difference between a treaty made with a single individual, unattended, and one made with a person who should bring fifty men-of-war to these shores. We were sent to this country by the President, who desires to promote the welfare of Japan, and are quite different from the ambassadors of other countries. We do not wish to open your ports to foreign trade all at once. It will be quite satisfactory if you open them gradually, as the circumstances may require; but the President assures you that this will not be the case if you make a treaty with England first. . . . When the ambassadors of other foreign countries come to Japan to make treaties, they can be told that such and such a treaty has been made

[13] Harris dwelt at length upon this matter. But the importation of opium had been prohibited by the Dutch and Russian treaties of 1857.

with the ambassador of the United States, and they will rest satisfied with this.

Harris then pointed out the religious tolerance existing in the United States and the West. He dwelt upon the desirability of general trade, which increases friendly intercourse and tends toward peace between nations. Then he told of the use of import taxes. He showed how Siam had protected herself from England by making treaties with America and France, and he asserted that the independent states of India were conquered by England because they had no treaties with other powers. He pledged the good offices of the President in case of any difficulty between Japan and a foreign country, and gave the promise point by saying that Sir John Bowring, governor of Hong-kong, had told him that he intended to bring a large fleet to Japan and either secure the opening of several ports and the right to have a minister-resident or else declare war.[14] His last letter stated that he would have more than fifty steamers. The Chinese war would soon be over; then the English ambassador would come, and it was to be hoped that matters would be arranged before he came. "If I write in my name to the agents of England and France residing in Asia and inform them that Japan is ready to make a commercial treaty with their countries, the

[14] The Dutch at Nagasaki had already given warning of Bowring's proposed expedition (Akimoto, 141).

number of steamers will be reduced from fifty to two or three." In closing he said: "I have today told you what is the opinion of the President and the intention of the English Government. Today will be the happiest day of my life if what I have said is attended to so as to secure the welfare of Japan. I hope you will consider what I have advanced and communicated to your associates in office. What I have told you are the unadorned facts acknowledged in all the world."

Such, in brief, were the statements which Harris presented for the consideration of Lord Hotta. Many of them were doubtless already familiar to this enlightened daimyo,[15] but the treatment of the whole subject was bound to be impressive. The effect of this conference upon the whole foreign question cannot be overestimated. Copies of Harris's remarks were later placed before all the daimyos and the imperial court, and thus his arguments reached all the important personages in the land.[16] Of Harris's goodwill for Japan and his desire to help her to avoid the evils of foreign complications there can be no doubt. His argument that she could negotiate with better grace with him, alone and unsupported, than with an ambassador at the head of a mighty squadron, was absolutely true. His frequent references to the aggressive designs of Britain, to which exception might

[15] Satoh, Lord Hotta, 33–35.

[16] Ibid., 64, 73.

be taken, were justified by all too recent events. The conquest of India,[17] the first and second wars with China, and many other episodes in Britain's intercourse with the East seemed to indicate what might be the fate of Japan. But the march of events, in this as in so many other cases, proved how unwise it is to prophesy regarding developments in the Far East. Russia has not yet overrun China, nor even all of Manchuria. England, instead of seizing Saghalien and Yezo as defensive measures against Russia, has found in her old enemy a staunch ally in her greatest war. Finally England and France, instead of sending large squadrons over to Japan to extort treaties at the cannon's mouth, actually sent only a few vessels and disavowed any intention of using force.

It might be well here to point out certain effects which the experience of the West in China had upon the new relations with Japan. The haughty and unyielding attitude of the Chinese government toward foreign representatives caused Perry and Harris to stand on their dignity and to brook no insult, and in turn they had the greater satisfaction when they received far more liberal treatment in Japan. At great expense of life and treasure China had become an object lesson of the inability of an eastern people to

[17] During the administration of Lord Dalhousie, 1848–1856, more than 200,000 square miles were annexed to British India, including the kingdoms of the Punjab, Nagpur, Oudh, and some smaller states, and the Burmese province of Pegu.

oppose the armaments of Europe. The Japanese knew of the two recent wars in China, and those who read their lessons aright realized that Japan was in no condition to adopt China's attitude toward the powers. On the other hand, Britain's share in those wars had not been altogether a glorious one. Although trade relations had been bettered, a feeling of wrong-doing remained in many minds. It is very doubtful if any British cabinet would have approved the use of force in order to open wider the doors of Japan. Surely Lord Elgin, who felt so strongly the unrighteousness of the second Chinese war, would never have adopted a highhanded attitude at Yedo.

In spite, therefore, of his friendliness, Harris felt that he should base his arguments on fear rather than on expediency. But instead of making threats in the name of the United States he used England and France as the ogres to frighten the Japanese. In this way he brought the good-will of the United States into stronger relief. Although all the diplomats and naval officers of the time believed in the efficacy of fear in bringing about improved relations with Japan, we may at least wonder what would have happened if Harris had emphasized the benefits to be derived from world commerce rather than the dangers which would follow seclusion. Certainly Hotta, Ii, Echizen, Satsuma, and other daimyos could have understood such arguments. Perhaps as many samurai were driven into opposition

because of the threats which were from time to time used as were converted to a belief in foreign intercourse through fear.

A few days after this remarkable interview Harris recorded in his journal: "I may be said to be now engaged in teaching the elements of political economy to the Japanese, and in giving them information as to the working of commercial regulations in the West."[18] This task was a tedious one, for the ideas were new and it was difficult to find terms in which to translate them. Moreover Harris had no library to refer to, but could rely only on his well stored mind and his commercial training. The Japanese records contain a detailed account of an interview between Harris and five of the "Commissioners of the voyage of the American Ambassador to Yedo" on December 21.[19] This interview consisted of questions by the commissioners and answers by Harris. It was concerned with the two points which he insisted should be covered by a new treaty,—a resident minister and unrestricted trade, as well as some questions regarding China and her wars. Concerning the first they inquired as to his duties, rank, rights, services, ceremonies, status, and residence, and as to trade they wished to know about customs duties and freedom from restrictions. Harris again used England as an example, saying: "When

[18] Griffis, Harris, 243.

[19] For. Rel., 1879, pp. 631–634.

the English ask for trade, they say they will come with men-of-war and demand that ports be opened at once. If opened, well; if not, war will at once be declared. There will be a great difference between granting their demands and making a treaty with me, who am consulting the advantage of both countries. It will be greatly to the honor of Japan to do as I say." He closed by quoting from a recent letter from Sir John Bowring to the effect that England could not endure the present management of affairs in Japan. In this interview Harris also mentioned the important features of a new treaty.

He now waited for some official notice concerning all he had said. But the ministers, who agreed with him, were engaged in endeavoring to convert the hostile daimyos and the leaders of the military and literary classes. After almost a month's anxiety Harris brought matters to a head on January 9, 1858, by bluntly telling Shinano-no-Kami "that such treatment could not be submitted to," and that "their treatment of me showed that no negotiations could be carried on with them unless the Plenipotentiary was backed by a fleet and offered them cannon-balls for arguments."[20] He closed by threatening to return to Shimoda if nothing were done.

This procedure was successful, and a week later Harris had an interview with Lord Hotta in which he

[20] Griffis, Harris, 247.

was told that the Shogun had assented to the two major points in a commercial treaty—unrestricted trade and a resident minister—and that commissioners would be appointed to arrange the details.[21] These proved to be his "good friends," Inouye, Lord of Shinano, and Iwase, Lord of Higo. They met for the first time on the 18th and exchanged their full powers, and Harris offered a draft of a commercial treaty, but it took five days to translate it into Japanese.

A brief account of the subsequent negotiations is given in Harris's journal. The record is prefaced by this statement:

> In this journal I shall confine myself to the leading facts of actual transactions, omitting the interminable discourses of the Japanese, where the same proposition may be repeated a dozen times; nor shall I note their positive refusal of points they subsequently grant, and meant to grant all the while; nor many absurd proposals made by them, without the hope, and scarcely the wish, of having them accepted: for all such proceedings are according to the rule of Japanese diplomacy, and he who shows the greatest absurdity in such matters is most esteemed. They do not know the value of a straightforward and truthful policy; at least they do not practice it. They never hesitate at uttering a falsehood, even where the truth would serve the same purpose.[22]

This indictment sounds not unlike one of diplomacy in the West, even among representatives far more

[21] For. Rel., 1879, pp. 635–636.
[22] Griffis, Harris, 256.

versed in the intricacies of the game than were the commissioners who dealt with Harris. But it was a long and wearisome task to thresh out the details of the treaty of commerce. Twenty sessions were held, clauses were discussed time and time again, and even those which had been accepted were considered anew. At first the commissioners wished to open trade, not on an unrestricted basis, but according to the latest Dutch and Russian treaties. But this Harris successfully opposed. Articles which he thought might cause trouble were readily granted, such as the right to build churches and to export Japanese money; but others, such as opening new ports, caused repeated interviews. Finally, when the treaty was almost agreed upon, the commissioners reported that such was the uproar in the castle over the concessions about to be granted that bloodshed would surely follow an immediate signing of the treaty. A delay was asked in order that an ambassador might proceed to the "Spiritual Emperor" at Kyoto to get his approval, and the statement was made "that the moment that approval was received, the daimyos must withdraw their opposition." Harris naturally asked what they would do if the Mikado refused his assent, and the commissioners replied, "in a prompt and decided manner, that the government had *determined not to receive any objections from the Mikado.*"[23] He

[23] Griffis, Harris, 288.

then asked what was the use of delaying the treaty "for what appears to be a mere ceremony," and he was told that "it was this solemn ceremony that gave value to it." He proposed, therefore, that they complete the drafting of the treaty, but postpone signing it until the end of sixty days. This proposition was finally accepted, the details were agreed upon, the tariff was worked out, and on February 26 Harris was able to give a clean copy of the treaty to the Japanese commissioners.[24] On March 10 he returned to Shimoda on a government steamer to await the outcome of the reference to Kyoto and the promised signing of the treaty on April 21.

Harris had ample reason for satisfaction in this achievement, and, as he wrote, "the pleasure I feel in having made the treaty is enhanced by the reflection that there has been no show of coercion, nor was menace in the least used by me to obtain it. There was no American man-of-war within one thousand miles of me for months before and after the negotiations. I told the Japanese at the outset that my mission was a friendly one; that I was not authorized to use any threats; that all I wished was that they would listen to the truths that I would lay before them."[25] It was, indeed, a triumph of reason; and yet, in the background, there was fear of the two

[24] Ibid., 306.

[25] Littell's Living Age, vol. 60, p. 573.

tern powers whose record in the East gave force to any misgivings.

The treaty of amity and commerce which was thus completed but not yet signed consisted of fourteen rticles. A summary of its terms indicates what a reat advance it was over the treaties of the preceding years. Article I provided for the reciprocal right of residence of a diplomatic agent at each capital and of consuls or consular agents at the open ports of apan or at any or all of the ports of the United States. Article II stated that "the President of the United States, at the request of the Japanese Government, will act as a friendly mediator in such matters of difference as may arise between the Government of Japan and any European Power," and it also promised the friendly aid of American ships of war and consuls to Japanese vessels on the high seas or in foreign ports. Article III, which caused the greatest difficulty in negotiating, opened, in addition to Hakodate, the ports of Kanagawa and Nagasaki, from July 4, 1859, Niigata from January 1, 1860, and Hiogo from January 1, 1863. Kanagawa was opened in place of Shimoda, which had been found undesirable soon after it was opened. The harbor was small and ill protected and the port was on a peninsula, cut off from the mainland by a difficult mountain range. It was now provided that if Niigata were found unsuitable another port would be chosen. In

these open ports the right to lease land and erect buildings was granted. It was also provided that after January 1, 1862, Americans might reside in Yedo and after the first of the next year in Osaka. This article also provided for open trade without the intervention of Japanese officers, with these limitations,—that munitions of war should be sold only to the Japanese government and foreigners, that no rice or wheat should be exported as cargo, and that the government would sell at public auction any surplus copper.

Article IV provided for customs duties according to the appended tariff, and gave the United States the right to land naval stores at Kanagawa, Hakodate, and Nagasaki, without the payment of duty, and to keep them there in warehouses in the custody of an officer of the American government.[26] It also forbade the importation of opium, and permitted the government to seize and destroy any amount over four pounds found on any American trading ship. Article V permitted foreign coins to pass current in

[26] "By this I have secured the choice of three good harbors for our naval depot in the East, in a country that has the most salubrious climate in the world, where the men cannot desert, and with a power that is sufficiently civilized to respect our rights; and, above all, not a power with whom we might have a rupture, like England. I consider this clause of immense importance, as now the depot can be removed from that wretched place, Hong-Kong, and the stores out of the power of England" (Griffis, Harris, 280).

Japan for the corresponding weight of Japanese coins of the same description; until the Japanese became familiar with foreign coins the Japanese government would exchange, without discount, their coin for American coins. Coins of all descriptions, except copper coins, might be exported from Japan. Article VI defined the extraterritorial rights of Americans in civil as well as criminal matters. Article VII defined the limits at the various ports within which Americans might travel. Article VIII granted to Americans the free exercise of their religion and the right to erect suitable buildings of worship. It also stated that Japan had abolished the practice of trampling on religious emblems. Article IX promised the assistance of the Japanese authorities in the arrest and imprisonment of offenders on the request of the American consul. Article X related to the purchase in the United States by the Japanese government of ships of war, munitions, and other things, and to the employment of experts. Article XI stated that the trade regulations attached to the treaty should be considered equally binding with it. Article XII revoked conflicting provisions of the treaties of 1854 and 1857. Article XIII should be quoted in full:

After the 4th of July, 1872, upon the desire of either the American or Japanese Governments, and on one year's notice given by either party, this Treaty, and such portions of the Treaty of Kanagawa as remain unrevoked by this Treaty, together with the regulations of trade hereunto annexed, or

those that may be hereafter introduced, shall be subject to
vision by commissioners appointed on both sides for this
pose, who will be empowered to decide on, and insert ther
such amendments as experience shall prove to be desirable

Article XIV fixed July 4, 1859, as the date when
treaty should go into force, and designated Wa
ington as the place where the ratifications should
exchanged. The treaty was executed in quadru
cate, each copy being written in the English, Japan
and Dutch languages, but the Dutch version was c
sidered to be the original.

Accompanying the treaty were the regulations
der which American trade was to be conducted
Japan. The details are of little interest, except
we may note that the regulations were more lib
than before, the penalties reduced, and tonnage
ties given up. But the tariff provisions were of g
importance. Under the Dutch and Russian con
tions of 1857 a temporary import duty of thirty
per cent was in effect, pending the negotiation
import, export, and transit duties. Harris explai
the operation of customs duties to the commissio
and eventually was able to write the tariff article
the regulations. The Japanese had intended to
a twelve and a half per cent duty on both imp
and exports. Harris tried to have them do a
with the export duties, but had to accept a redu
in their amount. As accepted, the tariff on imp
was levied on goods in four classes. Class 1, w

was free of duty, consisted of gold and silver, coined and uncoined, wearing apparel in actual use, household furniture, and printed books not intended for sale. Class 2, consisting of food-stuffs, ship's articles, and certain metals, paid five per cent. Class 3, including all intoxicating liquors, paid thirty-five per cent, and class 4, including all other articles, paid twenty per cent. The export duty was fixed at five per cent on all articles except gold and silver coin and copper in bars. Five years after the opening of Kanagawa the import and export duties were subject to revision, if the Japanese government so desired.

As the terms of this treaty, with few modifications, governed the international relations of Japan until 1894, it is proper to dwell upon some of its significant provisions. Every important concession which Harris desired was granted; in only a few minor particulars was he forced to yield. In China the right to appoint a minister-resident was one of the points at issue in the war which was then in progress, and it was conceded only in the treaties of Tientsin signed in June of this year, five months after Harris had secured the Shogun's approval. In his draft treaty Harris had asked that eight ports and two cities be opened, but the Japanese absolutely refused to open Kyoto. They were positively right in this step, for the imperial capital had become the center of the anti-foreign party. After much discussion the ports of

Hakodate, Nagasaki, Kanagawa, Niigata, and Hiogo were agreed upon (which made the number asked for by Commodore Perry in 1854), and the cities of Yedo and Osaka were opened for residence. The right to conduct trade without official intervention opened Japan to the fullest commercial development. This was the most important commercial article in the treaty. The right to lease ground and erect buildings, which Harris had failed to secure in 1857, was now granted. To the eighth article Harris attached too much importance.[27] The Dutch had already secured the right to practice their religion, and the Japanese had given up the practice of trampling on religious emblems. The only new provision was the right to erect suitable places of worship. As we have seen, the prohibition of opium was already found in the Dutch and Russian treaties.

In after years Harris received undeserved censure for having inserted the extraterritorial clause in this treaty. But his critics did not realize that this clause had already found its way into the first Russian and Dutch treaties and into Harris's convention of 1857. Great Britain also enjoyed this right under the "most favored nation" clause. Even if Harris had given it up, as he would have liked to do, it is impossible to believe that any of the European ambassadors would have followed him in this step.

[27] Littell's Living Age, vol. 60, p. 572.

Indeed the feeling of the time is evident from the fact that Mr. Marcy, the secretary of state, had told Harris that although he considered it an unjust provision, yet no treaty with an oriental country could secure ratification without its presence.[28] Harris always considered it a temporary measure, and asserted that he introduced it "against his conscience."

Although there can be no question of Townsend Harris's desire to serve not only the needs of his countrymen but also the best interests of Japan, weak, ignorant, and at the mercy of all comers, yet three of his stipulations proved, in the event, to be disastrous. The first was that permitting the export of Japanese gold and silver coin, which produced the first ill effects of the new commerce. The second was the conventional tariff; for, although Harris drew up very favorable terms, he could not prevent other diplomats from altering them, as we shall see, and Japan was bound fast by a treaty-made tariff until the revision of 1894. Finally he provided for the revision of the treaty, on the desire of either party, after July 4, 1872, and on one year's notice. His intention was that after the Japanese had gained experience in foreign affairs they should take up the question again and work out a new treaty in the light of experience. And this was what the Japanese believed; but they were disillusioned in 1872 when they found that revi-

[28] Atlantic Monthly, vol. 47, p. 610.

sion could come only with the consent of all the treaty powers; and it actually was accomplished, not in 1872, but twenty-two years later. It would have been better had this treaty expired in 1872 rather than remain subject to revision.[29] But in spite of these unforeseen errors in judgment, the Japanese have ever been grateful to Townsend Harris for framing an honorable treaty on which their enlarged intercourse was to be based.

After his return to Shimoda, in March, Harris passed through a serious nervous breakdown, during which he was the recipient of many tokens of friendship and esteem from the Japanese. The Shogun sent down two of his best physicians from Yedo and daily messages and presents of food and fruit.[30] This solicitude was manifested also on his return to Yedo in April. But instead of being able to sign the treaty on the 21st, as had been promised, Harris was told that Lord Hotta had not returned from Kyoto. For more than a month he waited, anxious and impatient. He was disgusted, and, according to a Japanese historian, threatened to go himself to Kyoto and conclude the treaty there.[31] On the first of June Hotta returned, defeated. The treaty could not be signed in the face of imperial and daimyo opposition. Harris

[29] Atlantic Monthly, vol. 47, p. 610.
[30] Littell's Living Age, vol. 60, p. 571.
[31] Satoh, Lord Hotta, 92.

finally agreed to a second postponement, until September 4, on condition that the Japanese would sign no treaty or convention with any power until thirty days after the signing of the American treaty.[32] This delay was insisted upon because of the presence in Yedo of Mr. Curtius seeking a new treaty for Holland. On June 18 Harris returned to Shimoda, bearing a letter from the Grand Council agreeing to his terms, and also a letter from the Shogun to the President, the first sent to any foreign ruler in two hundred and forty years.[33] Mr. Curtius also returned overland to Nagasaki, convinced that no liberal terms could be secured at this time.[34]

[32] Griffis, Harris, 316.

[33] The letter addressed to the king of Holland in 1845 had been written by the Council of State (ibid., 316).

[34] Oliphant, 307.

CHAPTER IV

Japanese Politics and Foreign Relations

It now becomes necessary to consider the effect upon the foreign policy of the Shogunate of the political situation within the empire, for, as we have seen, the question of foreign affairs could not stand upon its own footing but was involved in a maze of conflicting interests. The concessions granted in the treaties of 1854–57 had strengthened the opposition among the daimyos, and the fact that the Shogunate seemed firmly convinced of the wisdom of a pro-foreign policy served to unite in the opposition party all those elements which had reasons for hostility to the Tokugawa rule. Harris was told in February by the Lord of Shinano that

> of the eighteen great daimios, four were in favor and fourteen opposed to the treaty; that, of the three hundred daimios created by Iyeyasu, thirty out of every hundred were in favor, and the remainder opposed; that the government was constantly working on these men, and when they could get them to listen they frequently convinced them; but many, like the obstinate of more enlightened countries, refused to listen to a word of reason, argument, or explanation. This last class will only yield to the opinion of the Mikado when it shall be promulgated.[1]

[1] Griffis, Harris, 293–295.

Although Lord Hotta had taken office as prime minister and later as minister for foreign affairs with the intention of settling, once for all, the uncertainty concerning the Shogunate's foreign policy, even he dared not accept the responsibility of signing the new treaty. First the great daimyos and high officials were consulted, and copies of the treaty as well as of Harris's statement to Hotta were circulated among them.[2] In the covering letter attention was called to the fact that "the present time offers a new foundation for enhancing the power of the country." Of the memorials presented in reply most were strongly opposed to further concession to the foreigners. Again the leader was Lord Nariaki, the retired Daimyo of Mito. A little before this, while the negotiations with Harris were still under way, he had replied to a delegate of the Shogunate: "Let Bitchu and Iga commit hara kiri, and decapitate Harris at once."[3] A few of the daimyos, however, favored the new treaty proposals, notably the powerful lords of Echizen and Satsuma.[4] But among these there was a feeling that the imperial consent should first be secured.

Thus originated the mission to Kyoto, which it was thought would secure the Mikado's approval as a

[2] Gubbins, The Progress of Japan, 289–290.

[3] Bitchu, i. e., Hotta (Akimoto, 147).

[4] Satoh, Lord Hotta, 66.

matter of course, and then the opposition would cease.[5] The first mission, composed of Hayashi Daigaku-no-Kami,[6] with Tsuda Hanzaburo as deputy delegate, arrived in Kyoto on February 5, 1858. Hayashi laid before the imperial court a letter from Hotta which gave the reasons for the foreign policy of the Shogunate;[7] but instead of winning the imperial approval his visit served to widen the breach between the two capitals. At Kyoto the opponents of the Shogunate cried out that the mission of such minor officials as Hayashi and Tsuda was an insult to the throne, and in this way they gained adherents to their party. The first mission, therefore, proved to be a complete failure, and at the same time it weakened the prestige of the Shogunate in Kyoto.

The seriousness of the situation was at once recognized in Yedo, and the prime minister himself, Lord Hotta, who was more familiar than anyone else with the general international situation and with the argu-

[5] "It must be remembered in this connection that according to some historians, Lord Abe while in office as the Dean of the Ministerial Council of the Shogunate committed the Yedo Government to an understanding with Prince Sanjo Sanetsumu, a High Councillor of the Court of Kioto, to conduct foreign affairs subject to the Imperial sanction" (ibid., 69).

[6] Hayashi was one of the signers of the Perry treaty, and he had served as one of the commissioners for the reception of Harris in Yedo.

[7] Satoh, Lord Hotta, 70; E. M. Satow, translator, Japan, 1853–1864, pp. 17–20. Cited as Japan, 1853–64.

ments advanced by Harris, determined to proceed to Kyoto to overcome the opposition which was developing there. With Lord Hotta went the accountant-general, Kawaji, and the censor, Iwase Higo-no-Kami, the latter of whom had been one of the negotiators of the treaty under discussion. Arriving in Kyoto on March 19, Lord Hotta first won the support of the prime minister of the imperial court, Prince Kujo Hisatada, and two of the high councillors. He also prepared an address to the throne which was presented through the prime minister. This was a remarkable document.[8] It pointed out the changed conditions in international affairs, the increasing relations between the world powers, their mutual dependence, and the impossibility of any country's remaining secluded. This statement led to the conclusion that "either a war has to be fought, or amicable relations have to be established." But Japan was threatened from all sides, as she lay in the midst of the ocean routes connecting the different countries. The issue of such a war was obvious, and its evils were portrayed. Then he developed an argument which should have had great weight among the courtiers of Kyoto: "Among the rulers of the world at present, there is none so noble and illustrious as to command universal vassalage, or who can make his virtuous influence felt throughout the length and breadth of the whole world. To have

[8] Satoh, Lord Hotta, 74.

such a Ruler over the whole world is doubtless in conformity with the Will of Heaven." But before such a world empire could be created international relations must be established, by treaties of alliance or of amity; reciprocal relations should be encouraged, ministers should be sent and received, no effort should be spared to become thoroughly acquainted with the affairs of the treaty powers, "and in establishing relations with foreign countries, the object should always be kept in view of laying a foundation for securing the hegemony over all nations." Shipping should be encouraged, defects remedied, the national resources developed, and military preparations carried out.

When our power and national standing have come to be recognized, we should take the lead in punishing the nation which may act contrary to the principle of international interests; and in so doing, we should join hands with the nations whose principles may be found identical with those of our country. An alliance thus formed should also be directed towards protecting harmless but powerless nations. Such a policy could be nothing else but the enforcement of the power and authority deputed (to us) by the Spirit of Heaven. Our national prestige and position thus ensured, the nations of the world will come to look up to our Emperor as the Great Ruler of all the nations, and they will come to follow our policy and submit themselves to our judgment.

In conclusion he urged that

now is the opportune moment offered us by the changed condition of the world to throw off the traditional policy three centuries old, and make a united national effort to seize the opportunity for realizing the great destiny awaiting our coun-

try, as stated above. For this purpose, speedy permission is respectfully and humbly solicited for opening intercourse with foreign countries.

Such an appeal should have struck the imagination of every loyalist, with its vision of a world empire under the benign sway of the Son of Heaven. And it is probable that if the question of opening intercourse had stood alone the court would have yielded a ready assent, but the issue was now involved with the whole question of the relation between the Mikado and the Shogun. At first Hotta was successful. The prime minister and the high councillors drafted an imperial reply which, although desiring that the opinions of the Three Houses of the Tokugawa family and of the daimyos be consulted, still conferred on the Shogunate authority to use its own discretion in dealing with foreign relations.[9] Before this reply could be officially presented, the opposition forces had succeeded in winning over most of the court officials to their views. The first move was for seven of the high officials to present to the imperial court on April 20 a memorial which denounced friendship with the foreigners as a stain upon the country, and fear of them as an everlasting shame.[10] Here were two arguments which also appealed to conservative patriots, assured, in their ignorance, of the superiority of Japan. This

[9] Satoh, Lord Hotta, 79.

[10] Text in P.P. 1865, Com. 57, Japan No. 1, p. 40.

memorial was followed five days later by an address signed by eighty-eight court officials urging the withdrawal of the clause granting discretionary power to the Shogunate. These memorials, as well as threats of personal violence against his two fellow councillors, failed to move Prince Kujo. On the night of the 29th, however, the eighty-eight signers, armed with swords, appeared in a body at the prime minister's house, and insisted that if the clause were not expunged they would go to the temple where Hotta was lodged and compel him to commit seppuku (hara-kiri). Fearing for his own life, Prince Kujo finally yielded, and promised that the reply would be changed as they demanded.[11]

This was another victory for the anti-Tokugawa forces, and it was followed by the formal presentation of quite a different reply, on May 1, which denounced the foreign policy of the Shogunate and demanded that the opinions of the Three Houses and of the daimyos be consulted before asking for imperial sanction.[12] Lord Hotta, realizing the necessity for action in dealing with the foreign treaties, again urged that the Shogunate be given authority to act in the emergency, but a second reply denied the request and stated that three things should be done: "(1) Permanent safety should be secured whereby the Imperial anxiety

[11] Satoh, Lord Hotta, 83.
[12] Satoh, Lord Hotta, 84.

could be removed; (2) measures should be taken so as to uphold the national dignity and save the country from future calamities; (3) the national defences should be placed on an efficient footing, lest the refusal to grant any more than the concession made in the Shimoda Treaty be made a cause of war." If the replies of the daimyos were not sufficiently clear, an imperial messenger would be sent to the Great Shrine at Ise. Finally, on May 6, a third reply stated that if the American envoy insisted upon his treaty and resorted to any act of violence, war should be declared.

The opponents not only of the pro-foreign policy but of the Shogunate itself were now in control of the situation at Kyoto. Lord Ii, who in the absence of Lord Hotta was the dominant figure in Yedo, learned that the Mito party was urging not only that the court take the strongest position against foreign intercourse, but also that it appoint one of the Mito princes, Lord Hitotsubashi, as heir to the Shogun, and confer on the Daimyo of Mito the duty of guarding Kyoto.[13] The struggle between Lord Ii and Lord Nariaki had thus been transferred to Kyoto, and the control of the imperial court was the prize to be won. Lord Hotta returned, baffled, on June 1.

A crisis had now been reached in the affairs of the Shogunate. For the first time since its establishment the Tokugawa Bakufu had failed to secure the ap-

[13] Akimoto, 148.

proval of the Mikado for one of its desired measures, and the throne had asserted control over its policies. At Kyoto and in the provinces a strong party had been formed in opposition to its administration. Among its own houses a bitter controversy was raging over the selection of an heir, and at its doors might be expected the great western powers prepared to fight for treaty rights if longer denied. In this emergency the Shogun resorted to the old precedents and appointed a tairo, or regent, with full powers to meet the issue at hand. Lord Ii Kamon-no-Kami was selected for this powerful office. The reasons for this appointment differ. Of his loyalty to the Shogun and of his courage there could be no doubt. His family was one of the oldest supporters of the Tokugawas. But the issue which he was especially called upon to meet was the question of the heirship; and whether the Shogun realized for himself the strong character of Lord Ii, or whether the ladies of his court urged the appointment, it meant that a strong opponent of the Mito claims had been designated.[14] On the 4th of June he was publicly installed, and he at once took over the conduct of affairs.[15]

To him the matter of vital importance was the American treaty; the question of the heirship might

[14] Satoh, Agitated Japan, 55; Satoh, Lord Hotta, 91; Brinkley, 668.

[15] Akimoto, 152.

wait. He at once sent Lord Hotta to reason with Harris, as we have seen, and secure his consent to a postponement of the formal signing until September 4. He next convened a meeting of the heads of the Three Houses and of the daimyos resident in Yedo, and informed them of the imperial reply, stating that although the Shogun was convinced that the new foreign policy was the only possible one, yet, in obedience to the imperial commands he now laid the matter before the lords for their most careful and prudent consideration. Finally, he sent a representative to explain the situation anew to the court at Kyoto.[16]

Then came the question of the heirship. The Shogun, Iesada, who had succeeded in 1853, just after Perry's first visit, was now dying, without an heir. Two claimants were presented for the office, Iemochi, son of Nariyuki, Lord of Kii, and Yoshinobu[17] (Keiki), son of Lord Nariaki of Mito, but adopted into the Hitotsubashi family. The former was a boy of twelve, while Hitotsubashi was a man of twenty-one. In support of Hitotsubashi were found many of the great feudatories, including Satsuma and Echizen, as well as Lord Hotta, recently the prime minister.

[16] Satoh, Lord Hotta, 93–94; Akimoto, 153.

[17] The Hitotsubashi family was one of the Sankyo, or branch families from which a Shogun might be chosen. Although often spoken of as Keiki, the name Hitotsubashi will be used throughout this study, as it was generally employed by the foreign ministers at this time.

Some favored him because of his maturity, others because he belonged to the great house of Mito, and still others because he was believed to be anti-foreign, as was his father. But the Shogun was opposed to his appointment, for it meant his own virtual abdication, and the Prince of Kii represented the nearer line of descent. Lord Ii agreed with his master, but stressed the fact that Hitotsubashi would support the opponents of the Shogun's foreign policy. The controversy had also been carried up to the imperial court, where the claims of Hitotsubashi were popular, but where the Kii party was able to have the words "full-grown and enlightened" expunged from the formal imperial order for the appointment of an heir.[18] The preliminary announcement of the appointment of Iemochi was made in Yedo on July 11, and the formal approval of the throne was sought.[19]

Thus matters stood when, on July 23, the U. S. S. *Mississippi* arrived at Shimoda with news of the success of the British and the French in China and of the Tientsin conventions, between China and Russia, the United States, England, and France, signed on June 13, 18, 26, and 27. Two days later Commodore Tatnall arrived in the *Powhatan*.[20] The news brought by

[18] May 8. Satoh, Lord Hotta, 100.

[19] Satoh, Agitated Japan, 63.

[20] Commodore Tatnall did not rush off to Japan "to take advantage of the consternation certain to be created by the first news of recent events in the Peiho." As a matter of fact

these ships was of great significance. China had again been beaten to her knees; greater concessions than ever before had been demanded and granted; and it was reported that the victorious squadrons of the allies would soon appear in Japanese waters. The next day a Russian ship brought similar information. Harris believed that there was no time to be lost, and he at once started for Yedo. Arriving at Kanagawa on the 27th, he sent a message to Lord Hotta urging that the treaty be signed before the fleets arrived, so that Japan might grant peacefully and with honor some of the things wrested from China after a humiliating war.

This news created a profound sensation in the castle at Yedo. A special conference was called of the higher officials, and the majority favored signing the treaty at once. But now Lord Ii advocated delay until the imperial approval could be obtained.[21] He realized what grounds for criticism would be given if he acted in opposition to the imperial will, and he also did not despair of obtaining the Mikado's sanction. Perhaps this might have been secured if the full period until September 4 had been available. But the affair seemed, to the majority of the Cabinet, to be pressing, and they reasoned against the objections of the Tairo. Lord Ii finally accepted their arguments, and agreed to

he delayed for eleven days at Nagasaki before proceeding to Shimoda (Griffis, Perry, 415).

[21]Akimoto, 157.

send Iwase and Inouye, the two commissioners of the negotiations, to Kanagawa, to prevail upon Harris, if possible, to accept a further postponement, but if unsuccessful, to sign the treaty. The conference occurred on board the *Powhatan* early on the morning of the 29th. Harris repeated the reasons why it would be to the interests of Japan to sign the treaty at once, and he personally agreed to act as a friendly negotiator should trouble arise with the English and the French.[22] This promise seemed to satisfy the commissioners, and the treaty was signed.[23]

[22] Griffis, Harris, 321.

[23] For an unjust interpretation of the work of Townsend Harris see F. V. Dickins in Dickins and Lane-Poole, Life of Sir Harry Parkes, II, 20–21. "At this juncture, before the buké and kugé could be duly consulted—and there existed no constitutional rule or precedent requiring the Shogun to consult with them generally on any subject whatever—the Yedo court was terrorized by the American envoy Townsend Harris into compliance with his demands. That astute diplomatist made, in the words of Admiral Sir James Hope, an 'adroit use of the (then recent) success of the English and French forces in China,' warning the Shogun of the dire consequences likely to result from a persistence in the policy of exclusion. The action of the American envoy was crafty but not wise. At that time the prestige of the Shogun was scarcely impaired, and the Regent Ii Kamon no Kami (for the Shogun had died during the negotiations and his sucessor was a minor), a man of intelligence and courage, would have known, had time been afforded him, how to smooth over difficulties at Kioto and bring the Imperial Court into harmony with his own views. It is not too much to say that to Harris's ill-advised and selfish policy were due many of the troubles that attended the

In this decision of the tairo, Ii Naosuke Kamon-no-Kami, we have a key to the developments of the next seven years, but one which the foreign ministers did not appreciate until almost the end of the period. The treaty had been signed without the imperial approval. In those days of increasing respect for the throne and growing criticism of the Tokugawa Shogunate, this fact involved the whole question of foreign relations in the turmoil of domestic politics. It gave the rallying cry to the Jo-i, or anti-foreign party, of "Honor the Emperor and expel the barbarians." As the imperial party gathered strength the Shogunate was driven to desperate devices in order to keep faith with the powerful foreigners and also to appease the hostility of the court party and its supporters. As we shall see, the foreign representatives had no appreciation of the difficulty in which the Shogunate was involved. Few of them had the

emergence of Japan from her long isolation." Aside from the errors in fact which may be noted in the above quotation, there is a complete ignorance of the real work of Harris. His treaty was signed but a few days before Count Poutiatine and Lord Elgin arrived, each supported by ships of war. Was it not better for the Japanese to negotiate with a man whom they had learned to know and to trust, unsupported by ships of war, and under no visible duress, rather than with cannon-supported envoys fresh from their diplomatic victories in China? The opinions of recent Japanese historians concerning the work of Townsend Harris could hardly be cited by Dickins in support of his charges.

slightest sympathy for the perplexed officials who were struggling against hitherto unfamiliar forces. It was not until the imperial approval was finally obtained in 1865 that foreign affairs could be viewed in their own light, and from that date the unreasoned opposition to foreign intercourse rapidly waned.

In making the momentous decision to conclude the treaty without the imperial approval Lord Ii acted against his own wishes and out of no disrespect for the throne. A profound student of Japanese literature and history, he held in loftiest reverence the imperial house, even though he was Tairo of the Shogun's court. In his student days he wrote: "The first and most important feature of the Yamato spirit is reverence and loyalty to the throne,"[24] and in this great crisis he hoped, in spite of the failure of Hayashi and Lord Hotta, to be able to convince the court and win the imperial approval. But with the unexpected reopening of the question on July 27, and with the general belief among the Cabinet that a decision must at once be made, he was resolute enough to take the responsibility of action, even though he realized fully the attacks which would be hurled against him. It was well for Japan that such a man held dictatorial powers in such a crisis. If the decision had lain with more conservative or more ignorant leaders, Japan might have entered upon the course which China had

[24] Akimoto, 115.

taken, a course which led to war, defeat, and humiliation.

In recent years the work of Lord Ii has been studied anew in Japan, and his fame has been rescued from the opprobrium which had been heaped upon it.[25] His biographers point out that in signing the treaty Lord Ii did not act in defiance of the imperial will, in that he "was only compelled to omit the formality of reporting the matter to the throne before he carried it into practice."[26] In other words, "the Cabinet of Kioto never expressly gave orders that the country should be closed to foreign nations. All the instruction given went no farther than to require further conference among the Princes, Officers, and Barons of the land," and Mr. Shimada points out that "failure to carry out an instruction and wilful disobedience are two things that must never be confounded."[27] These conclusions are premised on the belief that the imperial court was not really hostile to foreign intercourse, and that Lord Ii had to act in an emergency unknown to the court when its instructions, which meant delay, were given. But whether Lord Ii's conduct be deemed wilful disobedience or not, the fact remains that it was so considered by the opposition at the time, and it proved to

[25] Satoh, Agitated Japan, based on Shimada's "Kaikoku Shimatsu"; Akimoto, Lord Ii Naosuke, based on Nakamura's "Ii Tairo To Kaiko."

[26] Akimoto, 154.

[27] Satoh, Agitated Japan, 89.

be the most vulnerable point of attack in the foreign policy of the Shogunate until the imperial approval was finally gained.

The storm soon broke. On July 31 Lord Nariaki addressed the Tairo, as if he did not know that the treaty had already been signed, warning him of the irreverence of disregarding the imperial orders, and urging that a delegate be despatched to Kyoto to learn His Majesty's will.[28] His letter, however, gave indication that even he realized that freer intercourse was bound to come. The next day a messenger was despatched to Kyoto to advise the court of what had been done and to assure it of the Shogunate's intention to do its utmost to protect the coasts and defend the empire.[29] On that day, in Yedo, the officials and the daimyos were summoned to the castle and advised of the whole treaty proceedings, and once more their opinions were requested.[30] Then, in order to consolidate his position against his opponents—not only those who opposed his foreign policy but those who criticized his conduct in the matter of the Shogun's heir—Lord Ii dismissed Lord Hotta and Lord Matsudaira (Iga-no-Kami) because they favored the appointment of Lord Hitotsubashi.[31] This action brings out clearly the involved state of Yedo politics at this

[28] Akimoto, 163; Satoh, Agitated Japan, 73.
[29] Satoh, Agitated Japan, 75.
[30] Text in P.P. 1865, Com. 57, Japan, No. 1, p. 39.
[31] August 2. Satoh, Lord Hotta, 105.

time. Lord Hotta was one of the leaders of the pro-foreign party. His course had been a consistent one, and it was due to his enlightenment that Harris had been able to negotiate his great treaty. In favoring foreign intercourse Lord Hotta had been a doughty adversary of Lord Nariaki ever since the appearance of Perry. In the matter of the heirship, however, Hotta favored the Mito claimant, because he desired to see a man of some experience and education succeed as Shogun. In dismissing him from office, Lord Ii lost a champion of his foreign policy in order to weaken the party opposed to his policy regarding the heirship. It is interesting to note that the foreign representatives who visited Japan soon after this Cabinet change believed that Hotta was dismissed because of his enlightened foreign policy, and that members of the "Tory party" were in control.[32]

On the same day the imperial approval of the appointment of the Prince of Kii was received, and the 4th of August was designated as the date for the formal announcement.[33] This fact inspired the opposition to a last and desperate effort to set aside the choice. Lord Nariaki, accompanied by the lords of Mito, Owari, and Echizen, appeared at the Shogun's court, and a famous interview took place be-

[32] Oliphant, 378; Alcock, July 28, 1859, in P.P. 1860, Com. 69 (2648), p. 27.

[33] Satoh, Agitated Japan, 76.

tween the three former, members of two of the Three Families of the Tokugawa, and the Tairo.[34] The first point of attack was the signing of the treaty without the imperial sanction, and in defence Lord Ii argued that what he did was in accord with the Emperor's will and in view of the immediate crisis. Then the claims of Hitotsubashi to the heirship were advanced, and Lord Ii maintained that this decision rested with the Shogun alone. Lord Nariaki then demanded that the choice of an heir should be postponed until the imperial sanction had been obtained for the treaty. Ii replied that he fully believed the sanction would be granted when all the facts were known, and announced that Lord Manabe, of the Cabinet, would soon go to Kyoto. The interview, which was a protracted one, resulted in the victory of Lord Ii and his supporters. Yet the situation was a most embarrassing one, for against Ii were arrayed three of the great lords of the Tokugawa houses.[35]

In spite of this powerful opposition the appointment of the youthful Iemochi was proclaimed on August 4, and on the 10th the daimyos presented their

[34] August 3. Akimoto, 166–170; Satoh, Agitated Japan, 79–86.

[35] Brinkley states that "the three feudatories offered to compromise; in other words, they declared their willingness to subscribe the commercial convention provided that Keiki was appointed Shogun; the important fact being thus established that domestic politics had taken precedence of foreign" (668).

formal congratulations to the Shogun and his heir.[36] On that night the Shogun was suddenly taken ill, but on the 12th he had recovered sufficiently to call the Tairo and the Cabinet into his presence and take measures against the hostile lords. It was decided to confine Lord Nariaki to his house, to require the lords of Owari and Echizen to turn over their fiefs to their heirs, and to deny the Lord of Mito and Lord Hitotsubashi the privilege of appearing at the Shogun's court. These penalties were announced the next day, and they brought down upon Lord Ii the denunciation of the retainers of these powerful houses. On the 14th the Shogun died.[37]

[36] Satoh, Agitated Japan, 92.

[37] The sudden death of the Shogun gave rise to many theories at the time. Some believed he had been poisoned by Mito adherents in order that Lord Hitotsubashi might seize the throne. The Dutch reported that he had committed suicide because of the difficulties due to the foreign situation. Townsend Harris described him as "a wretchedly-delicate-looking man, and a victim of apoplexy" (Oliphant, 459). The death of the Shogun was not publicly announced until September 14. Lord Elgin was told that the Shogun was unable to see him but that an audience with his "son" might be arranged, which he did not deem it expedient to accept (ibid., 418). Oliphant states that the British did not know of the death of the Shogun until after the French mission returned to Shanghai at the end of October (ibid., 459). But Chassiron asserts that Baron Gros learned of the event from Lord Elgin in China (Notes sur Le Japon, La Chine et L'Inde, 59). See also P.P. 1859, II, Com. 33, "Correspondence relating to Earl of Elgin's special mission to China and Japan, 1857–1859."

In the midst of these momentous events, which in the eyes of nobles and officials loomed larger than did the foreign problem, came the not unexpected demands of other powers for treaty rights similar to those which Harris had obtained. Mr. Donker Curtius hurried back from Nagasaki. The three ambassadors who had won treaties at Tientsin now turned their attention toward Japan. Admiral Count Poutiatine was the first to arrive. Then came the Earl of Elgin and Kincardine, convoying the yacht which the Queen had sent out as a present to the Shogun, and a month later, Baron Gros. None of them brought a large force, the English and French squadrons comprising only three ships each. The first to arrive were amazed to find that the lonely American consul-general had won, unsupported, all that they well could ask.

The negotiation of three of the treaties was in progress at the same time. The American treaty was used as a basis, and few changes were introduced. The Dutch treaty was signed on August 18, the Russian on the 19th, the British on the 26th, and the French on October 7.

Two changes were introduced by Lord Elgin, one fixing the date on which the treaty would go into effect as July 1, instead of 4, 1859, and the other removing cotton and woollen manufactured goods from the class which paid twenty per cent duty t

the five per cent class. As Baron Gros later told the Japanese commissioners, Lord Elgin did not wish to mention a date "which would recall a painful epoch for England."[38] He, in turn, selected August 15, the festival of Napoleon III. As Lord Elgin had secured a valuable concession in the reduction of the duty on cotton and woollen goods, so he endeavored to have French wines removed from the thirty-five per cent to the twenty per cent class. He argued that the other envoys had failed to mention wines because their states did not produce any, and that Harris, who had proposed the duty, was "probably a member of some temperance society."[39] But in this respect the Japanese refused to yield, assuring Baron Gros that if the Japanese perceived the need of wine they could change the tariff at the revision of the schedule five years later. Lord Elgin, therefore, had made the first breach in the reasonable tariff which Harris had drawn up. Under the "most favored nation" clause all the treaty powers enjoyed this tariff reduction, but Britain most of all because of her preeminence in cotton and woollen manufacturing.

The negotiation of these later treaties, important as they seemed to the European diplomats, was but a troublesome detail to the harassed officials of the Shogunate. Of far more importance was the curb-

[38] Chassiron, 157.
[39] Chassiron, 163.

ing of the increasing hostility to the administration which was evident both at Yedo and at Kyoto. Lord Ii had already announced that it was the intention of government to send Lord Manabe, of the Cabinet, to explain matters to the imperial court, but the illness of the Shogun and the arrival of the Russian and British envoys had compelled him to remain in Yedo. On the day the Shogun died, however, an imperial order was received, requiring that either the Tairo or one of the Princes of the Three Houses present himself at the court with an explanation of the foreign situation.[40] To this demand Lord Ii replied that he was too much occupied with affairs of state, while two of the Sanke, Mito and Owari, were undergoing domiciliary confinement, and the third was but a boy.[41] Instead, he forwarded another written explanation of the course pursued by the Shogun's government, which differed little from the earlier statements save for its suggestion that the policy might be tried for ten or fifteen years and then the question finally decided as to whether the country be closed or opened to foreign trade and residence.[42] In the main it favored an open-door policy, and presented arguments in support of the opening of Hiogo, which was especially objectionable to the court.

[40] Satoh, Agitated Japan, 93.
[41] Ibid., 103; Gubbins, Progress of Japan, 112.
[42] Satoh, Agitated Japan, 96–98.

At Kyoto a bitter feud was now in progress between the two factions of the court. One, led by Prince Kujo, the Kwambaku or prime minister, supported the policies of the Shogunate. The other, led by the nobles Takadzukasa, Konoye, and Sanjo, stood with the Mito party, and were stout exclusionists. But as long as Prince Kujo was Kwambaku the Shogunate was assured of imperial favor, for no legal document could be transmitted from the throne without his approval. The exclusionists now sought to remove from his influential office a prince who opposed them. On September 15, during the absence of Prince Kujo, six of the hostile kuge (court nobles) signed an imperial decree which censured the Shogunate for its presumption in signing the treaty in defiance of the imperial will and for the failure to obey the summons to send one of the princes or the Tairo to Kyoto, and once more called for an expression of opinion from the daimyos.[43] This instruction was accompanied by a document asserting that no controversy existed between the two courts.[44] A copy of the former document, with a covering letter instructing the Prince of Mito to make the contents known to the other daimyos, was sent to the prince as senior feudatory. These documents reached him on September 23, a day before the copies reached the castle

[43] Gubbins, Progress of Japan, 113.

[44] Satoh, Agitated Japan, 106.

at Yedo. He replied to the court that he would act for the best, and then informed the Shogunate that he had been honored with direct instructions from the throne.[45]

This act was another shock to the Yedo officials. It was contrary to all law and precedent for an imperial communication to be directed to any but the Shogun. In this crisis the act also served both to humiliate the Shogunate and to support the hostile influence of Mito. To the Tairo, the thing to be done was plain. He must strike at the roots of the conspiracy in Kyoto which was undermining the prestige of the Tokugawa administration. The foreign question could bide its time.

On the 9th of October, Lord Manabe, of the Cabinet, set out for Kyoto to act in this emergency. While he was on the way—for he did not arrive in Kyoto until the 16th[46]—the exclusionist party was able to persuade Prince Kujo to resign from office, and he so notified the throne. Lord Ii, when news of this coup d'état reached him, sent word that the resignation could not be recognized without the Shogun's approval, and on his arrival Lord Manabe was able to persuade Prince Kujo to withdraw his application. Then the Shogun's emissary proceeded to ferret out

[45] Ibid., 105.

[46] Satoh, Agitated Japan, 112. E. M. Satow, Japan, in Cambridge Modern History, XI, 838, gives this date as the 23d.

and arrest the two-sword men who were implicated in the despatch of the letter from the Emperor to Mito. These, principally retainers of the hostile kuge (although it is said that even peasants and townspeople were arrested), were sent to Yedo, in sedan chairs covered with nets and in bamboo cages, to be imprisoned with those who had been arrested there.[47]

With the atmosphere cleared in this manner, Manabe took up the question of foreign affairs, and on November 29 made his explanations at the imperial court.[48] The way in which this controversy had been crowded to one side by the greater issues arising from the internal commotion is evident from the position taken by the Shogun's representative. Instead of seeking the imperial approval because of the absolute wisdom and necessity of breaking down the exclusion laws, Lord Manabe took the position that the treaties were temporary evils which could not be avoided, that the Shogunate did not desire to cultivate friendly relations with the foreign powers, and that as soon as adequate armaments were prepared the barbarians would be expelled.[49] In fact the author of the Bakumatsu Gwaikodan, The Story of Foreign Relations in the last days of the Shogunate, believed that "the Shogunate's agents were directed

[47] Japan, 1853–64, pp. 31–32.
[48] Satoh, Agitated Japan, 114.
[49] Cambridge Modern History, XI, 838.

to make no difficulties in regard to wording, but to accept any decree which clearly established the fact that an understanding between the Court and the Shogunate had been effected."[50] This was not easy to obtain. Shimada states that the "highest order of eloquence and wisdom" was engaged, for more than three months, until, on the 2d of February, 1859, the imperial answer was delivered to Lord Manabe.[51] This, in brief, approved the resolution of the Shogun, the Tairo, and the Council of State to keep the barbarians at a distance and eventually restore the old policy of exclusion, and authorized the Shogun to take temporary measures to this end.[52]

This impractical edict was considered a great victory for the Shogunate party. Lord Manabe returned to Yedo in April. There the conspirators had been tried by a special court; some were beheaded, including retainers of Mito, Echizen, and Choshiu, and others banished to the penal colonies. At Kyoto some of the kuge of highest rank were compelled to enter monasteries and others were punished with domiciliary confinement, and the leaders of the anti-foreign party were compelled to resign their offices at the court.[53] Although these rigorous penalties curbed the opposing faction for the time, they also served to

[50] Gubbins, Progress of Japan, 114.
[51] Satoh, Agitated Japan, 116.
[52] Ibid., 115; Gubbins, Progress of Japan, 115.
[53] Japan, 1853–64, pp. 33–34.

embitter the partisans who believed that their friends had been executed, exiled, and dishonored because of loyalty to the throne.

Lord Ii recognized that only a temporary reconciliation between the two courts had been effected, and he bent his great energies toward gaining an unequivocal endorsement of the Shogunate's foreign policy.[54] He endeavored, therefore, to arrange a marriage between the Shogun and a younger sister of the Mikado, and he succeeded in securing an order from the throne requiring Mito to return the imperial instruction of the preceding year. Before either event was consummated, however, the Tairo had paid with his life for his courageous loyalty to his master.

This brief survey of the involved political developments of the period is absolutely essential to any study of the foreign relations of Japan. It is evident that the great question as to whether Japan should abandon her old policy of seclusion and exclusion could not be decided on its merits alone. The foreign representatives were unable to fathom the mysteries of the political situation and could not, for several years, understand the hidden forces which were working so powerfully against the maintenance of the new treaties. From their point of view, and according to established law, the treaties had been negotiated and concluded by the proper authorities.

[54] Satoh, Agitated Japan, 119.

Harris, who knew more about Japanese politics than any other foreigner at the time, perceived the rising influence of the Mikado at Kyoto, but he did not fully realize how important his power had suddenly become. The hostile edicts from Kyoto were not made known to the envoys, nor was the latest, temporizing one published. It was not until 1863 that the American minister, Mr. Pruyn, was able to point out the absolute necessity of securing the Mikado's approval of the treaties, which indicates how far at sea the representatives were in the intervening years. Even when, in 1864, some of the documents of 1858 came to light, they were taken to confirm the power of the Shogun to act on his own responsibility in foreign affairs.[55]

From the point of view of the Shogunate the period was one of tremendous embarrassment. It had signed the treaties. Without doubt Lord Hotta and Lord Ii and most of the members of the Cabinet and the higher officials had considered that it was not only necessary but eminently proper for Japan gradually to emerge from her seclusion and take her part in the affairs of the world. Fear of the foreigners, though a powerful factor, was not the only reason for their forward-looking decision. Through the stress of many hostile forces, however, they had been compelled to act without the imperial approval. That

[55] P.P. 1865, Com. 57, Japan, No. 1, pp. 37–41.

act placed them on the defensive at once, and involved the whole foreign question in the turmoil of internal politics. It became the weapon near at hand for all the critics and opponents of the Yedo administration. All loyal Japanese, at a time when loyalty to the Mikado was being preached by students of Japanese history, denounced this irreverent act. Daimyos and their retainers, court nobles and their followers, all who were opposed to foreign intercourse, or angered at the high-handed conduct of Lord Ii, or embittered because of the decision regarding the succession to the Shogunate, or hostile to the Tokugawas, or even opposed to the Shogunate itself, all these opposition forces could unite on a common basis of denunciation of, as they deemed it, Ii's impious and cowardly act in signing the treaties in opposition to the imperial will and because of fear of the "foreign barbarians."

Then when the Shogunate, in order to heal the breach with the court and gain support in its campaign against its enemies, receded from its former sound position regarding foreign intercourse, and practically promised to eventually close the doors against the western peoples, it made for itself a Procrustean bed. Its temporizing policy was bound to be assailed, and demands were sure to be made that the period of intercourse be brought to an end. Lord Ii hoped that he would be able to secure complete recognition of his foreign policy, but he was struck

down too soon, and his successors were unable to carry out his plans. On the one hand they faced the foreigners, who insisted that the treaties be lived up to in spirit and in letter, and on the other they faced the rising power of the court, which demanded that the old law of exclusion be enforced.

The careful student of the events of the next six years will be impressed, not with the infrequent attacks upon foreign nationals and the occasional violation of treaty provisions, but with the way in which the Shogunate struggled to keep its plighted faith in the presence of a bitter and general anti-foreign feeling.[56]

[56] It must be recognized that much of this feeling was directed not so much against foreigners as against the Shogunate and its foreign policy.

CHAPTER V

Mutual Recrimination

Although the new treaties would not go into effect until the following July, one clause in the American treaty called for immediate attention. It was the fourteenth, which provided for the exchange of ratifications at Washington, on or before the 4th of July, 1859, although the treaty would still go into effect even if the ratifications were not exchanged by that time. This clause had been proposed by the Japanese,[1] and gladly welcomed by Harris in order that the United States, the first of the treaty powers, might welcome the first Japanese embassy.[2] In September the Japanese government formally applied for the use of an American steamer to convey the mission to Washington, by way of San Francisco and Panama, and it was suggested that December 7 be the date of departure.[3] Owing to the slow and uncertain means of communication at this period (a letter from Commodore Tatnall to Harris, dated Nagasaki, October 27, 1858, did not arrive until February 14, 1859) no American vessel appeared at the appointed time.

[1] Suggested by Ii to Hotta (Akimoto, 180).

[2] Griffis, Harris, 281.

[3] 36th Cong., 1st sess., S. Ex. Doc. No. 25, p. 3.

During these months the effort to secure imperial approval of the treaties was in process at Kyoto, and the Yedo authorities were loath to pour oil upon the flames. In January, Harris's old friend, Shinano-no-Kami, proposed that the mission be postponed for not more than a year, on the ground that some of the hostile daimyos were demanding the enforcement of the ancient death penalty upon any Japanese who might leave the country.[4] He suggested that a convention be executed agreeing to the postponement and fixing a new date, and to this Harris agreed. Nothing, however, was done until February 27 when the U. S. S. *Mississippi* arrived at Shimoda, prepared to receive the embassy. Harris proceeded in it to Kanagawa and tendered it to the government. On the next day, March 3, four commissioners appeared at Kanagawa to negotiate a convention for the postponement of the embassy. This could easily have been done, but Harris took this opportunity to secure, if possible, a new and important treaty concession. It was none other than a clause securing full religious toleration among the Japanese themselves.[5] The Japanese com-

[4] 36th Cong., 1st sess., S. Ex. Doc. No. 25, p. 5.

[5] Ibid., p. 8. Articles securing toleration for the practice of the Christian religion had been inserted in the several Tientsin treaties of June, 1858. The right of the Chinese to practice this foreign faith was thus based on treaty provisions, and any interference with Chinese Christians became a treaty violation. The Japanese never accepted such an article, and toleration came a few years later as an act of their own government.

missioners, however, refused to accept this new article, although the negotiations were protracted for fifteen days. On March 19 the convention was signed. It provided that a ratified copy of the treaty should be placed in the hands of Harris pending the exchange of ratifications in Washington; that no embassy should leave Japan for any foreign nation until the mission bearing the Japanese ratification had arrived in Washington;[6] that the article of the treaty relating to freedom of trade between Americans and Japanese should be published in all parts of the Empire on July first; and that the embassy would be ready to leave Yedo on February 22, 1860.[7]

After this satisfactory agreement had been reached Harris returned to Shimoda until early in May, when, under a sick certificate, he took his first and only leave from his post. For a month he remained in Shanghai, enjoying the society of this growing seaport after his long years of isolation. At home his achievement had been everywhere acclaimed, and on January 7 the Senate unanimously confirmed his nomination as minister resident of the United States in Japan.[8]

On the 15th of June Harris sailed from Shanghai

[6] This provision was introduced because Harris believed that the English would renew the efforts made by Lord Elgin to have a Japanese mission visit their land.

[7] 36th Cong., 1st sess., S. Ex. Doc. No. 25, pp. 9–10.

[8] Griffis, Harris, 322.

on the *Mississippi* to take up his duties in Japan under the new treaties and with his new rank. At Nagasaki he found H. M. S. *Sampson,* bearing the new British consul-general, Mr. Rutherford Alcock. After remaining a few days at Shimoda he arrived at Kanagawa on the 30th, the day before that port was to be opened under the British treaty.

The Japanese, on their part, had made serious preparations for the inauguration of the new commercial relations. The first question was that of the location of the new port at Kanagawa. This matter had been taken up by the Japanese commissioners with Harris, and he had insisted upon the town of Kanagawa, which was named in his treaty. Lord Ii, however, favored the little fishing village of Yokohama, three miles distant, where Perry's treaty had been signed. The Tairo's reasons were of the best, for Yokohama not only possessed an excellent harbor, but was also removed from the great highway, the Tokaido, along which passed the daimyo processions and where unsuspecting foreigners might come to grief at the hands of hostile two-sword men. But Harris saw in this squalid fishermen's hamlet on the swampy shores of the bay, accessible to Kanagawa only by a raised causeway, a second Deshima, where the foreigners would be isolated and trade with them strictly controlled. He protested so strongly against the selection of Yokohama—in fact, pointing out two

sites on the Kanagawa side—that the commissioners recommended that his views be accepted. The Cabinet also endorsed this opinion, but the Tairo refused to consent.[9] He determined to make ready a port at Yokohama in the belief that the merchants would recognize the desirability of the site. So when the foreign representatives arrived in June they found a new port ready for trade, with residences for the consuls and merchants, shops, a custom-house, a governor's office, and two "really imposing and beautifully constructed landing-places, with flights of well-laid granite steps of great extent."[10]

In another respect the Japanese had made ready, to the amazement of the newcomers. The treaties provided for the circulation of foreign coins in Japan, weight for weight, and the exchange of these coins for Japanese coins during the first year. Hitherto three silver ichibus were equal intrinsically to a Mexican dollar, but now the government issued a new coin, the half-ichibu, which was equal in weight and value to a half-dollar. Although larger than the old ichibu, the new coin had a token value of only half the old one. It is easy to realize the effect upon trade of this innovation.

When Harris reached Kanagawa on the 30th, he found that Alcock had arrived four days before and

[9] Akimoto, 180.

[10] P.P. 1860, Com. 69 (2648), p. 9.

had proceeded to Yedo to arrange for the exchange of the ratified British treaty. Alcock returned that day in order to take part in the formal opening of Kanagawa on the first of July. Harris, in turn, raised the American flag over the consulate, at the temple of Hongakuji, on the 4th of July. On the 6th Alcock took up his residence at the temple of Tozengee, in Yedo, and the next day Harris established the American legation there at the temple of Zempukuji.[11] The first two foreign representatives had taken up their residence in "the capital of the Tycoon."

As Mr. Alcock aptly remarked, it was one thing for the ambassadors to secure their treaties in 1858 from the alarmed Japanese, and quite another for their successors to make the treaties "practical, every-day realities" in the presence of the aroused hostility of the country.[12] He failed to mention that Mr. Harris, who had negotiated the master treaty of 1858, was the only one of the envoys to remain and endeavor to make the treaties work. Rutherford Alcock was appointed British consul-general in Japan after a service of fourteen years as consul at the Chinese treaty ports. This service was not the best sort of training for a responsible post in Japan, although Alcock never carried the masterful ways of the Chinese service to the extreme reached by his successor, Sir Harry Parkes. In addi-

[11] Griffis, Harris, 322.

[12] R. Alcock, Capital of the Tycoon, I, xvi–xvii.

tion to the many laudable qualities portrayed by his biographer,[13] Alcock had two failings which affected his usefulness in Japan. He possessed too ready a pen, which led him into the writing of despatches and minutes which were wordy in the extreme, and in which the meaning was at times almost obscured by the veil of verbiage. As the ideal of Japanese official correspondence is brevity, and as the difficulties of translating were very great at this time, it may be doubted if the perplexed Japanese ministers for foreign affairs were at times able to fathom the voluminous despatches which were poured in upon them. With this readiness to write came a tendency to hasty judgments which frequently had to be soon revised, although at times they persisted in all their pristine inaccuracy.

Townsend Harris, on the other hand, entered upon his ministerial duties with a very different training and temperament. He had lived in Japan for three years, and his admiration for the people and his sympathetic understanding of the problems before the government were pronounced. He was slow to come to a conclusion, but once decided he rarely altered his position. In his correspondence he was a man of few words, but of absolute clarity of phrase. No wonder one of the Japanese officials who had to deal with him could say: "I admired him because he did

[13] A. Michie, The Englishman in China.

not change his views frequently, for he always spoke deliberately.'[14] These differences between the representatives of the English-speaking peoples must be pointed out if we are to understand the strained relations which later developed.

The inauguration of the new treaties was apparently marked by two violations on the part of the Japanese because of the way in which they had tried to make ready for the foreigners. Against the choice of Yokohama as the open port both Harris and Alcock protested. But the question was really decided by the merchants, who promptly realized the commercial advantages of Yokohama no matter what the political disadvantages might be. It was a great disappointment for Mr. Alcock when the representative of the great British firm of Jardine, Matheson and Company established himself at Yokohama, in spite of Alcock's protest,[15] and when some Dutch merchants did likewise. It was finally settled that the foreigners could reside at Kanagawa, but as a matter of fact only the consuls and a few missionaries did so.[16] The merchants preferred the site which Lord Ii had chosen, and to him, and not to the foreign representatives, should be given the credit for the choice of this excellent port. In a few years the consuls also moved over

[14] Griffis, Harris, 307n.
[15] Heco, I, 217; P.P. 1860, Com. 69 (2648), p. 25.
[16] P.P. 1860, Com. 69 (2648), p. 54.

to Yokohama, although the British consul was still designated as at Kanagawa.[17]

The currency question proved more difficult of solution than that of the location of the open port. That the Japanese had the sovereign right to alter their currency could hardly be doubted, and they did not consider that they had parted with this prerogative when they signed the Harris treaty;[18] but the circulation of a special form of currency designed apparently for the foreign trade alone might be considered a clear infraction of the treaty, and Harris and Alcock both presented formal protests to the ministers for foreign affairs. The result was that the Japanese withdrew the new coinage, and, as provided by treaty, agreed to the free circulation of dollars, and to the exchange of dollars for ichibus to the capacity of their mint, or 16,000 a day.[19] The evils from which they suffered, however, which were far greater than those of the foreign merchants, persisted. Because of the abnormal ratio of silver to gold in Japan, which was only five to one instead of fifteen to one as in the world at large, it was tremendously profitable for the foreign merchants to import dollars, secure ichibus, exchange them for gold kobangs, and export the latter. Neither the Japanese nor Harris had any idea that this business

[17] F. C. Adams, History of Japan, I, 118.
[18] Alcock, II, 415.
[19] P.P. 1860, Com. 69 (2648), pp. 48, 53.

would follow from the treaty which they negotiated, but if it continued it would perhaps drain Japan of all her gold coins. To alter the ratio of gold and silver would have disturbed all financial transactions in Japan, and it seemed easier to introduce a new currency which would take up the impact of the new commercial relations. When this was denied to the Japanese they resorted to other means to protect their supply of gold, and in doing so legitimate trade was bound to suffer. It must always be borne in mind, however, that the Japanese were real sufferers under these new relations, and that the export of gold was the first of many grievances.[20]

That a hostile element existed among the Japanese had long been known. Mr. Harris had noted threatening incidents at Shimoda, and during his visit to Yedo, in 1857, he had several times been warned of possible danger. He, in turn, had done his part by taking every precaution against possible assaults.[21] When Lord Elgin and Baron Gros visited Yedo only rare evidences of ill will were met with. With the arrival

[20] A gold kobang was worth by assay from 17s. 6d. to 18s. 6d., but was exchangeable for four silver ichibus, equivalent to a dollar and a third Mexican (P.P. 1860, Com. 69 (2648), p. 15). Government forbade the sale of kobangs, but they could be had for 6½–7½ ichibus ($2.17–2.73 Mex.) and sold in China for $3.50–3.85 (Heco, I, 234). See H. A. Tilley, Japan, The Amoor, and the Pacific, 131–135; J. R. Black, Young Japan, I, 41–42.

[21] Griffis, Harris, 291.

of the foreign ministers and consuls, merchants and sailors, trouble developed. In August, 1859, complaints were made that members of the two missions were pelted with stones and threatened by two-sword men,[22] and on the 25th of that month the first assassination occurred.

Early in the month Count Muravieff-Amursky, governor-general of Eastern Siberia, appeared in Yokohama with a squadron of seven vessels carrying one hundred and five guns.[23] A few days later two more ships joined him. He had, the year before, negotiated a treaty with China which won for Russia the left bank of the Amur River (whence his title) and gave her equal rights to the Manchurian sea-coast. His present mission was to secure the cession of Saghalien by Japan. Before he took up his residence in Yedo some of his men, wandering through the city, had been jostled and stoned by a mob. They were protected by some native officers and escorted back to their residence.[24] On Count Muravieff's complaint the Japanese officer in charge of the district and his lieutenant were dismissed. Muravieff landed in state on the 22d and proceeded three days later to open his negotiations. On that day, however, at Yokohama, a lieutenant and two seamen from the Russian fleet were

[22] P.P. 1860, Com. 69 (2648), p. 32.
[23] Tilley, 144.
[24] Ibid., 153.

cut down by two-sword men. One of the seamen was instantly killed, and the lieutenant expired during the night.[25]

This crime filled the foreign community with horror and alarm, and many persons promptly armed themselves against a general attack. Speculation was rife as to the cause of the assault, the best explanation being that the attack grew out of the punishment of the Yedo officials, but whether made by them or by their friends could never be learned.[26] That it was a deliberate attempt on the part of hostile daimyos to provoke hostilities seems less evident. Then came the question of reprisals.

> Each had his own plan of what ought to be done: some were for burning the town down, others for attacking Yedo; one or two sensible ones proposed that the authorities should forbid their officials to wear their swords within the districts opened to foreigners. All expected that some severe act of retribution would, of course, be inflicted on the murderers if caught, but if not, on the Government, by the large Russian squadron in the neighbourhood, as a warning and a lesson that it would be called to account for the life of every foreigner by all European governments combined.[27]

None of these reprisals occurred. The Japanese expressed their sorrow and regret and promised to do all they could to arrest and punish the murderers, and one of the governors of Kanagawa attended the

[25] Tilley, 162–166.
[26] P.P. 1860, Com. 69 (2648), p. 44; Tilley, 173.
[27] Tilley, 169.

funeral of the victims,—much against his wishes, for it was contrary to custom and would necessitate observances for purification. Count Muravieff and Commodore Popoff were satisfied with the efforts made by the Japanese, and they sailed away, leaving Captain Ounkovsky and the *Askold* to settle the matter and protect the foreign community. On September 26 the Japanese accepted Ounkovsky's proposals, which called for an expression of regret by a deputation of the highest dignitaries on the frigate, the dismissal of the governors of Yokohama, and the apprehension of the murderers and their execution in the presence of Russian officers on the spot where the murders occurred.[28] In addition, the Japanese agreed to guard the mortuary chapel in perpetuity. No indemnity was demanded, for, as Count Muravieff proudly said, "Russia did not sell the blood of her subjects."[29]

This solution of the affair was a great disappointment to those who favored a strong policy. A feeling of the greatest insecurity prevailed; and not only did all the residents of Yokohama, with the exception of the Americans, go about armed, but the English and Dutch consuls wore their weapons when holding interviews with the Japanese officials.[30] Before the excitement could pass away, a Chinese servant in the employ

[28] P.P. 1860, Com. 69, p. 77.
[29] Alcock, I, 342.
[30] Tilley, 175.

of the French consular agent was struck down on November 5.[31] As the victim had come from Hongkong, the British consul at Kanagawa believed that he was called upon to move in this matter; and so distraught was he that he not only determined to turn the murderers, if caught, over to Alcock for punishment, which would have been a violation of the treaty, but he issued a notification to all British subjects to go about armed as much as possible, and gave them free permission to use a revolver or other deadly weapon, on any reasonable provocation, on any Japanese official or non-official.[32] Mr. Alcock, in Yedo, was able to preserve a sense of proportion, and he ordered the immediate withdrawal of the notification. For this murder the best explanation seems to be that as the Chinese wore European dress he was killed by a native who had been insulted by a European;[33] or, as seems even more probable, some Japanese could not tolerate Chinese, whom they despised, aping the lordly foreigners and finding shelter under their flag.

On the day that this murder occurred in Yokohama, Townsend Harris had his second audience of the Shogun, in order to present his new credentials as minister resident.[34] The growing bitterness occa-

[31] P.P. 1860, Com. 69 (2648), p. 81. A Japanese was executed for this murder on September 30, 1865 (P.P. 1866, Com. 76, p. 61).

[32] P.P. 1860, Com. 69 (2648), p. 82.

[33] Adams, I, 124.

[34] P.P. 1861, Lords 18, p. 56.

sioned by the ill effects of the new commerce manifested itself in a reception which was far less cordial and honorable than that in 1857. Against this Harris protested for months, and successfully, until a third and satisfactory audience was held. This episode, and the restrictions upon trade, caused Harris to despair. On November 15 he wrote: "'Our affairs here are in an unsatisfactory state. The Japanese evade the faithful observance of the most important of the treaty stipulations or meet them with a passive resistance."[35] He tried in every way to convince them of the danger which such a course involved. About the same time Alcock sent a gloomy despatch to Lord Russell: "I may begin by stating, that at this hour all Treaties recently concluded with Japan are virtually annulled."[36] The annullment, however, consisted mainly in certain

[35] 36th Cong., 1st sess., S. Ex. Doc. No. 25, p. 12.

[36] December 6, 1859. P.P. 1860, Com. 69, p. 89. In reply to this despatch Lord John Russell approved Alcock's general conduct, but said: "It were to be wished that you had not threatened war." "If war is made to enforce the observance of a Commercial Treaty, we run the risk of engaging in protracted hostilities, and of earning a reputation for quarrelling with every nation in the East. Time and patience may remove many of the difficulties of which you complain. The Japanese, on their side, may well be jealous of Europeans, who insult their usages and carry away their gold. You should endeavour rather to soothe differences than to make and insist upon peremptory demands. Our intercourse is but merely begun: it should not be inaugurated by war" (February 28, 1860, ibid., 98).

interference with trade, which could not have been very serious, for a few months later Alcock was able to report that the progress of trade at Kanagawa and Nagasaki during these six months, "in spite of every obstacle, whether in currency, monopolies, or official interference . . . must be a matter of surprise as well as congratulation."[37]

On the same day Alcock addressed a "strong letter" to the ministers for foreign affairs requesting a conference and emphasizing the importance of this interview, for on it the question of peace or war between the two countries would depend.[38] The interview took place on December 7. Alcock found the ministers "quite unconscious of any disregard of Treaties," and in a four-hour conference he proceeded to enlighten them. Harris and De Bellecourt, the French minister, supported Alcock in his complaints, and when Harris had an interview with the ministers on the 13th, he tried a new argument, assuring them that if because of treaty violations war should result, "the Representatives of the foreign Powers would only negotiate with the Representatives of the Mikado, and that this would overthrow the governing power then exercised by the Daimios, with the Tycoon as their Representative."[39] For the second time Harris had put his finger upon

[37] March 6, 1860. P.P. 1860, Com. 69 (2694), p. 8.
[38] P.P. 1860, Com. 69 (2648), p. 91.
[39] P.P. 1861, Lords 18, p. 56.

the weakest point in the Shogunate régime, but it may be doubted if he fully realized the growing influence of the formerly almost mythical Mikado.

The new year brought no relief to the nerve-racked foreign residents.[40] In spite of government regulation and restriction a profitable trade was rapidly developing, and the merchant colony at Yokohama grew with it. But the presence of sudden death at the hands of some two-sword fanatic was never forgotten. On January 30, 1860, the Japanese interpreter of the British legation, Dankirche (Denkichi), was struck down in broad daylight close to the gate of the legation.[41] Dan, as he was generally called, had had a remarkable career. He was a sailor on a junk which had been blown to sea early in December, 1850. One of his companions was the well-known Joseph Heco.[42] On January 22, when all hope of ever reaching Japan had waned, they were picked up by an American bark and carried into San Francisco. A year later they were sent to Hongkong to be returned to Japan by Perry's expedition, but Heco returned to the United States before Perry arrived. Dan joined the expedition, where he was known as Dan Ketch, but he was afraid to land in Japan lest he be beheaded under the

[40] A Chinese coolie was murdered in Yokohama about this time (Heco, I, 236).

[41] P.P. 1860, Com. 69 (2694), pp. 1–4.

[42] Author of Narrative of a Japanese.

law forbidding Japanese to leave the country.[43] He was taken back to America and lived there under the commodore's protection until his return to Japan in 1858, as linguist for Mr. Alcock. His residence in America had ill prepared him for life in his native land, especially in those parlous times. Mr. Alcock described him as "ill-tempered, proud and violent."[44] He was accustomed to wear European clothes, and, counting upon the protection of the British flag and the Colt revolver which he wore in his belt, "to swagger and to defy his countrymen."[45] The reaction of such conduct upon the Japanese samurai and ronins[46] may easily be imagined. So hated had he become that the governors of foreign affairs urged Alcock to send Dan to the consulate at Kanagawa for safety, but the British minister announced that he would see to it that his servant was protected.[47] Again the ministers expressed their regret and promised to make every effort to secure the assassins, but they were never apprehended. Alcock then demanded that two of the governors of foreign affairs attend the funeral. They agreed, but later refused as contrary to Japanese cus-

[43] Hawks, I, 486.

[44] Alcock, I, 332.

[45] De Fonblanque, 77.

[46] Samurai, a warrior who could wear two swords, and generally received a pension from his daimyo; ronin, a free lance, a samurai who had left his clan.

[47] Heco, I, 237.

tom. Alcock insisted and they complied, "to the astonishment and dismay of the assembled thousands who lined the streets of Yedo."[48]

Within a month came a more brutal and less accountable onslaught. Two Dutch merchant captains were "literally hacked to pieces" on the evening of February 26, in Yokohama. No reason could be assigned for this deed, for the captains were known to be "remarkably quiet, inoffensive men." The feeling prevailed that this was but another attempt of the anti-foreign party, perhaps led by Mito,[49] to precipitate a general collision, for this time there was both a British and a Russian ship of war in the harbor. Captain Vyse, the British acting consul, however, in his warning to the British community suggested that the unruly conduct of drunken sailors may have brought about the assassination of the captains.[50]

Once more were some Japanese officials compelled to attend the funeral services, at which marines and blue-jackets from the two warships served as escorts. A collective protest was made to the Japanese ministers for foreign affairs on the part of the three

[48] De Fonblanque, 79.

[49] Mito was believed by the foreigners to be the evil spirit of the times. He was accused of having poisoned the Shogun in 1858 and of having set fire to the palace at Yedo on November 12, 1859 (Alcock, I, 357; Heco, I, 246; P.P. 1860, Com. 69 (2694), p. 6).

[50] P.P. 1860, Com. 69 (2694), p. 9.

foreign ministers, and the demand of the Dutch consul for an indemnity was supported. Alcock believed that if every life should cost the government from twenty to fifty thousand dollars it would take better precautions to protect the foreigners. Yet the foreigners were loath to accept the protection which the Japanese offered, believing that it was more designed to isolate than to protect them. But of the good faith of the government and of its eagerness to do all it could to protect the foreigners there can be little doubt.

These sporadic assassinations, six in seven months, loomed large in the thoughts of the little group of foreigners at Yedo and Yokohama, but they little realized the number of Japanese who were losing their lives during these troubled days. The seriousness of the political situation was, however, brought home to them when on the 24th of March the Tairo himself, Lord Ii Kamon-no-Kami, was assassinated and his head taken, at the very entrance to the Shogun's castle.[51] Lord Ii was on his way to the palace to pay his respects on that festival day. Seated in his palanquin surrounded by his retainers—who unhappily, because of a belated snow-storm, wore their clumsy raincoats and had their swords wrapped in cloths—he had almost reached the Sakurada Gate when a band of eighteen ronins sprang into the procession. A shot

[51] Akimoto, 185; Satoh, Agitated Japan, 129–142.

was fired, the Tairo was stabbed to death through the sides of his palanquin, and then dragged out and beheaded, and the survivors fled with their prize.

Of the assassins, seventeen were Mito samurai and one was from Satsuma, but before embarking on this bloody enterprise they had dissolved their clan connection and become ronins. Eight were killed or mortally wounded in the encounter, and eight more surrendered later. As was the custom, the Mito men had, before the attack, drawn up a statement of their reasons for this deed, and their indictment against the Tairo signalled out his foreign policy.

While fully aware of the necessity for some change in policy since the coming of the Americans to Uraga, it is entirely against the interest of the country and a shame to the sacred dignity of the land to open commercial relations, to admit foreigners into the castle, to conclude a treaty, to abolish the established custom of trampling on the picture of Christ, to permit foreigners to build places of worship of their evil religion, Christianity, and to allow the three Ministers to reside in the land. Under the excuse of keeping the peace, too much compromise has been made at the sacrifice of national honor. Too much fear has been shown in regard to the foreigners' threatenings. Not only has the national custom been set aside, and national dignity injured, but the policy followed by the Shogunate has no Imperial sanction. For all these acts the Tairo Baron Ii Kamon-no-Kami is responsible.[52]

Then followed a protest against Ii's conduct in confining some of the loyal princes and barons, and even in interfering with the imperial succession:

[52] Satoh, Agitated Japan, 137–140.

Therefore we have consecrated ourselves to be the instruments of Heaven to punish this wicked man, and we have assumed on ourselves the duty of putting an end to a serious evil by killing this atrocious autocrat. Our conduct, however, does not indicate the slightest enmity to the Shogunate. We swear before Heaven and earth, gods and men, that our action is entirely built on our hope of seeing the policy of the Shogunate resume its proper form and abide by the holy and wise will of His Majesty, the Emperor. We hope to see our national glory manifested in the expulsion of foreigners from the land. Thus will the whole nation be established on a basis as firm and unmovable as Mount Fuji itself.[53]

Although in the minds of his assailants Lord Ii's foreign policy was a great offense, yet it must not be forgotten that loyal samurai of Mito had grievances nearer their heart than that. The feud between the Ex-lord of Mito and Lord Ii had continued for seven years, and Ii had gained the upper hand. Not only had he confined the ex-lord to his mansion and humbled the present lord and Lord Hitotsubashi, but he had secured an imperial order for the return of the Mikado's letter to Mito. This had occasioned a brief civil war between clansmen who would obey the order and those who would have refused to deliver up the Mikado's letter. It was seventeen of the latter who made their way to Yedo to destroy the man whom they considered a swaggering despot and the

[53] This feeling of personal responsibility for the punishment of public servants whose policy did not prove acceptable was very troublesome, and resulted in the destruction of several of the most valued leaders of new Japan.

enemy alike of the Emperor, the daimyos, and the good old customs of Japan.[54]

The foreign ministers in Yedo now realized that if the Tairo himself could not secure his own protection, they stood little chance should a determined assault be made. However, the authorities doubled their protective measures. The legation guards were increased, cannon were installed, and every precaution known to the Japanese was taken.

From these scenes of bloodshed it is a relief to turn to a brighter episode. On February 13 the Japanese embassy to the United States sailed from Yokohama on board the *Powhatan,* accompanied by the Japanese war steamer *Kanriu Maru.*[55] The ambassadors consisted of the two hatamoto, Shimmei Buzen-no-Kami and Muragake Awaji-no-Kami, and the censor Oguri Bungo-no-Kami, while fifteen officers and fifty-three servants completed the party.[56] In command of the *Kanriu Maru* was Captain Katsu, better known as Count Katsu Awa, the organizer and historian of the modern Japanese navy, while in the

[54] Brinkley, 671; E. W. Clement, "The Mito Civil War," in Trans. As. Soc. Japan, vol. 19, part II.

[55] P. DuBois, "The Great Japanese Embassy of 1860," in Proceedings of the American Philosophical Society, vol. xlix, pp. 243–266; 36th Cong., 1st sess., S. Ex. Doc. No. 25, p. 12; J. B. Moore, Digest of International Law, V, 742–744.

[56] The censor, Oguri, was not named in the Shogun's letter to the President. The Hatamoto were direct vassals of the Shogun, ranking below the daimyo.

envoys' suite was Fukuzawa Yukichi, who became one of the most influential leaders of new Japan as founder of the Jiji Shimpo newspaper and the Keiogijuku University. The journey was made by way of San Francisco and Panama; at the latter place the U. S. S. *Roanoke* was waiting to convey the party to Hampton Roads. There, on May 12, the party were officially received and transferred to the *Philadelphia,* on which they were carried to Washington. On the 17th the ambassadors were presented to President Buchanan and the ratifications were exchanged. After three weeks in the capital there followed a brief tour of the eastern cities, in which, in every case, the mission was received with lavish hospitality and widespread interest. At Philadelphia the ambassadors were especially interested in the working of the Mint, for they sought light on the currency problem which so embarrassed their government. As they travelled they received as presents or purchased all manner of American tools, instruments, and articles new or strange to them, and their artists were constantly engaged in sketching scenes of interest and their secretaries in taking notes. On June 30 they sailed from New York in the *Niagara,* largest of our warships, arriving at Yokohama on November 9.

The first Japanese mission to the treaty powers had, therefore, sailed to the United States. It is impossible to estimate the effect of this visit upon some of

the keen-eyed Japanese,[57] and the welcome the members received strengthened the good impression of America which Harris had labored so hard to create.

Within a year after the opening of Kanagawa it was evident to Townsend Harris that he had been too optimistic regarding the readiness of Japan for general foreign intercourse. Instead of the anti-foreign feeling dying down, it had apparently gained strength, and showed itself in the assassinations of foreigners and of the Tairo. Although he had confidence in the desire of the Shogunate to protect foreigners, he also realized the difficulty of the task, especially in Yedo, where the streets were filled with two-sworded retainers of the resident daimyos, arrogant, aggressive, and many of them bitterly anti-foreign. Therefore, on August 1, 1860, he advised his government that the opening of Yedo to foreign residence on January 1, 1862, might lead to conflict between some of the merchants and the Japanese retainers, and thus jeopardize the promising trade which had already been established.[58] On this matter the British and the French minister were in agreement, and each wrote to his government requesting discretionary power to postpone the opening for one year and to renew it from time to time if it seemed necessary. In this respect they anticipated the broader request of the Shogunate a few months later.

[57] Heco, I, 261.

[58] For. Rel., 1862, pp. 793–794.

At this point it might be well to point out some of the more recent aspects of the anti-foreign feeling. With the general Japanese opposition, based on the violation of the ancient traditions of the land and the disobedience of the imperial will, we are quite familiar. But with the opening of unregulated trade at Kanagawa and the other ports certain immediate evils had been impressed upon the Japanese. In the first place, such was the demand for export articles that their prices rose from one hundred to three hundred per cent, and this rise in turn affected other articles.[59] The temporary introduction of a new coinage also demoralized prices. This rise in prices was especially felt by persons on fixed salaries, such as officials and retainers, and it was most evident near the treaty ports.

Then, it must be confessed, the conduct of many of the foreigners was not such as to cause the Japanese to welcome more intimate relations with them. On this point much suggestive material may be found in the state papers and the contemporary narratives. Many of the merchants had come over from China, where since the Opium War they had conducted themselves much as they pleased, with little respect for the feelings or the rights of the Chinese.[60] This was hardly a good preparation for life in Japan.

[59] For. Rel., 1862, p. 795.

[60] In November, 1859, there were only twenty resident foreign merchants at Yokohama (P.P. 1860, Com. 69 (2617), p. 2).

The so-called pioneers of civilization are, like other pioneers, more noted for physical energy than for gentler or more refined qualities. It is not the skilled or scientific farmer, but the strong-armed labourer, who cuts down the forest; nor is it the liberal, enlightened, prudent, and educated merchant, but the daring, money-seeking adventurer, who clears the way for commerce. What have the Japanese to learn from such men? Do they set them a profitable example in morality, in decency, in religion, in probity, in intelligence, in industry, or even in the outward forms of social intercourse? . . . We say the Japanese are false; but did we teach them truthfulness or honesty when we bought their gold weight for weight with silver, and drained their treasury of native currency by false representations? We call them a semi-barbarous race; but contrast the courteous, dignified bearing, and the invariable equanimity of temper of the lowest official or smallest tradesman, with the insolent arrogance and swagger, the still more insolent familiarity, or the besotted violence, of many an European resident or visitor.[61]

Mr. Alcock made frequent severe strictures on the conduct of the foreigners,[62] and Mr. Harris reported that

unfortunately, a portion of them are neither prudent nor discreet, and they are numerous enough to imperil the safety of the orderly and well-disposed, and seriously endanger the amicable relations that have been established with so much difficulty and labor with this government.[63]

Before 1859 only a few ships touched at Japanese

[61] De Fonblanque, 69–70; C. P. Hodgson, A Residence at Nagasaki, xxix–xxxii.

[62] P.P. 1860, Com. 69 (2648), pp. 67, 78, 83, 88; P.P. 1860, Com. 69 (2617), pp. 1, 3–7.

[63] For. Rel., 1862, p. 793.

ports, but in that year ships were constantly passing in and out of Yokohama. Heretofore the crews had been kept in fairly good control; but now drunken sailors, assaulting Japanese and entering their shops and houses, frequently gave offence.[64] Perhaps it was some outrage of this nature which brought down vengeance on quite innocent foreigners like the Russian sailors and the Dutch captains.

When it is remembered also that of all the consular representatives only the British were de carrière, while those of the United States, France, and Holland were merchants, unsalaried, and "mixed up with the practices objected to in others," it is easy to understand why their influence on their nationals was small.[65] Thus, in violation of law, foreigners en-

[64] "The foreigners, subjects of the various Treaty Powers, at Kanagawa, have done their best to justify the policy and confirm the fears of the Japanese authorities, as to the course foreign trade would take, and its results. Nothing could well have been worse than the conduct of the body generally; and the acts of many individuals are altogether disgraceful" (Alcock to Lord Russell, November 23, 1859, in P.P. 1860, Com. 69 (2617), p. 1). "There have been, unfortunately, very many instances where Japanese have been grossly maltreated by foreigners, and no indemnity asked or paid. Indeed, it admits of some question whether it would be safe, in view of the character of the floating population of the treaty powers, at the open ports, to establish the principle of the liability of a government for the acts of its individual citizens or subjects" (Pruyn to Seward, February 29, 1864, in For. Rel., 1864, part III, p. 485).

[65] P.P. 1860, Com. 69 (2617), p. 2; Tilley, 120. The United

gaged in the sale of firearms to Japanese, and in hunting within the proscribed limits.[66] This led to the cause célèbre in which an Englishman, Moss, shot down a Japanese officer who attempted to arrest his servant.[67] In the consular court Moss was found guilty and sentenced to a fine of $1000 and deportation. Alcock, on reviewing the case, added imprisonment for three months, and ordered the fine to be paid to the wounded man as an indemnity. The supreme court at Hongkong, however, released the prisoner and awarded him $2000 damages for false imprisonment, on the ground that Alcock could only fine and deport or imprison. The Japanese could hardly understand such technicalities. If one would know the pressure which might be exerted by the foreign community to prevent justice being done in cases where a white man was the defendant, let him read Alcock's comments on consular jurisdiction in the East.[68]

The exportation of gold coin has already been mentioned. Much was shipped without manifest or declaration at the custom house in violation of the trea-

States did not provide salaried consuls at Kanagawa and Nagasaki until July 1, 1861. No provision was made for carrying into effect extraterritorial jurisdiction until the Act of Congress of June 22, 1860.

[66] Alcock, I, 330; Heco, I, 262–264.

[67] Alcock, II, 14–17.

[68] Alcock, II, 25–29.

ties. In September, 1859, after the forced withdrawal of the new silver currency, the government ordered that the sale of gold coins to foreigners should cease.[69] Such was the profit on both sides, however, that illicit trade continued. In order to buy these coins, and, in fact, to carry on any trade, it was necessary to secure ichibus in exchange for dollars. The mint was able to coin only 16,000 daily, which proved too few for the demand. By notification British subjects were permitted to request exchange for not more than $5000 nor less than $1000, and when the total demanded exceeded the supply the Japanese tried to prorate the allotments.[70] This attempt caused some of the merchants to send in false requisitions for enormous amounts in the hope of receiving a liberal issue. Even Mr. Keswick, of Jardine, Matheson and Company, applied for $4,000,000 (in spite of the limit of $5000), and a Mr. Telge, who had complained to the British consul concerning the insulting conduct of a Japanese custom-house officer, asked for the exchange of $250,000,000. Other instances are noted in the special Blue-book dealing with this episode.[71] The

[69] Heco, I, 234.

[70] P.P. 1860, Com. 69 (2648), p. 53.

[71] P.P. 1860, Com. 69 (2617). Lord John Russell forwarded Alcock's despatches regarding the conduct of British merchants to the East India and China Association with the hope that its members would use their influence on their correspondents in China and Japan to induce them to put a stop to such proceedings.

climax was reached by Thomas Tatham, who asked exchange for "$1,200,666,777,888,999,222,321." In November the Japanese found in the burning of the Shogun's palace an excuse for closing the mint, stopping the sale of copper, and restricting the sale of all produce desired by the foreigners; but it was certainly the difficulties at Yokohama which drove them to this measure.

With these outstanding occasions for friction, in addition to the prevailing hostility to foreign intercourse, it would be too much to expect the new year to open upon greatly improved relations, while the problem before the Shogunate officials of maintaining the treaties in the face of growing opposition was bound to be increasingly perplexing.

CHAPTER VI

Harris Stands Alone

The new year did indeed dawn ominously on both sides of the Pacific. In the United States the secession movement had commenced, which was soon to plunge the States into the horrors of civil war,—a war which, among its other effects, served to hurry the decline of American influence and commerce in the Far East. Townsend Harris was a "far-seeing War Democrat," and yet, in spite of his belief in the success of his cause, he must have known many hours of bitter anxiety in those days of long delayed communication.

In Japan the foreign community was threatened as never before. The first warning was given by the government to Mr. Harris, who in turn warned Alcock, De Wit, the Dutch consul-general, and De Bellecourt. It was to the effect that some six hundred ronins from Mito were on their way to burn the foreign settlement at Yokohama and to attack the legations at Yedo.[1] The Japanese authorities proposed that the foreign consuls move over from Kanagawa to Yokohama, where they could be better pro-

[1] P.P. 1861, Lords 18, pp. 1–6.

tected, and that the ministers move for a time within the castle moats at Yedo. Again there was some question as to the good faith of the government, the consuls, for instance, refusing to move, lest they seem to abandon their right to reside at Kanagawa.[2] The ministers also remained in their legations, while Alcock suggested that the British admiral leave at least two ships in the bay after his departure. For a few days the alarm was great, but on January 8 Alcock believed that the crisis had passed, and expressed the opinion that the Japanese were taking all the precautions they deemed necessary. Large patrols of armed men were guarding the whole road from Yedo to Yokohama, and a daimyo with two hundred of his men and two field pieces was in charge of the British legation.

On the evening of the 14th the swords of the ronins flashed again, and this time one of the most popular and useful of the foreign officials was brought down. The deed struck close to Mr. Harris, for it was his interpreter, Mr. Heusken, who fell. He had accompanied Harris to Japan in 1856, as interpreter, because of his knowledge of Dutch. In the intervening years he had mastered Japanese so well that he was said to know more of Japan and the Japanese and to speak their language with more fluency than any living European.[3] He had acted not only at all

[2] Heco, I, 266.

[3] De Fonblanque, 89.

of Mr. Harris's conferences with the Japanese, but he had also assisted Lord Elgin in 1858, and was then aiding Count Eulenburg to negotiate a treaty for Prussia. It was on his return from the Prussian legation, on a dark and rainy night, that the blow was struck. The assassins were able to escape in the darkness. Much as Harris mourned the loss of his faithful attaché, he did not hesitate to point out that Heusken lost his life through failure to heed the repeated warnings which had been given.[4] To go abroad at night, in these troubled times, was a dangerous proceeding for any man. Harris endeavored, by running no needless risks, not merely to save his own life but to cooperate with the Shogunate officials in their endeavors to protect him.

In this case the Japanese did all that could be expected of them in order to arrest the guilty and punish the yaconins who had been remiss in their duty. The funeral was attended by the three ambassadors who had recently returned from the United States,—an unusual token of respect. When the diplomatic and consular corps gathered to follow the body to the grave, a warning was received that they might be attacked

[4] For. Rel., 1862, p. 805. See Adams, I, 130, for the story that this murder was due to the enmity of Hori Oribe-no-Kami. The chief of this band of ronins was said to have been murdered on May 30, 1863. He had taken part also in the murder of Lord Ii, the first attack on the British legation, and the attack on Lord Ando (For. Rel., 1863, II, 1101).

on the way. They did not flinch, and happily no attack was made.[5]

This was the seventh assassination[6] in the foreign community since Yokohama was opened, eighteen months before; and coming as it did after the recent alarms, it seemed to possess a most ominous import. On the day after the funeral all the foreign ministers met at the British legation to consider what position and course they should take.[7] A difference of opinion promptly developed. Mr. Alcock, after summarizing the events of the past year and a half, stated his conviction that the murder of Heusken was not a "mere fortuitous recontre with a band of bravos," but rather an incident in the recent course of terrorism and intimidation inaugurated with the alarm of the threatened ronin attack. He furthermore believed that "measures were being taken which had for their object the removal of foreigners out of the Empire, either by intimidation or by murder," but there were no facts to show whether the officials were parties to it, or only reluctant witnesses. He felt that the representatives of the treaty powers should take "some action so decided and significant" that it would arouse the ministers to a sense of danger, and also

[5] P.P. 1861, Lords 18, p. 6.

[6] Two of the victims were Orientals in the employ of westerners.

[7] P.P. 1861, Lords 18, pp. 6–24.

their colleagues and possibly the daimyos who hired the assassins to kill Mr. Heusken. Such an action he believed would be the withdrawal of the foreign representatives to Yokohama, under the protection of the fleet, where, free from menace, they could call upon the government to reconsider its policy and to give satisfaction for past breaches and guarantees for the future, especially as to security of life and property.

The French, Dutch, and Prussian representatives agreed with Alcock in his plan of withdrawing from Yedo. Mr. Harris was unable to concur.

He was the oldest foreign resident in Japan; he had enjoyed long and intimate relations with the Japanese authorities and Government, and he still retained his faith in their good-will and desire to carry out honestly the Treaties they had entered into. But they had many difficulties to contend with, and the foreign Representatives could not desire them to do impossibilities. They had shown no backwardness in taking measures of precaution for the protection of all; but it was out of their power to prevent such murders as that of Mr. Heusken, who had exposed himself by going out at night, contrary to the repeated counsels and remonstrances received both from the Government and himself. He, for his part, felt perfectly safe, so long as he complied with the conditions which circumstances imposed, and could not agree in the policy of leaving Yeddo. On the contrary he thought such a step fraught with danger, that if they once left it they would never return, and that an attempt to occupy any portion of Yokohama with foreign troops would create such an alarm and outburst of national feeling that conflict and war would be inevitable. He recommended that they should unite in urging upon the Government more vigorous measures, and trust to their good faith to give effect to these.

This statement showed that the American minister had a far better understanding of the difficulties which confronted the Shogun's government than any of his colleagues possessed, and in urging a sympathetic and conciliatory policy he was again trying to serve the best interests, not only of his own land but of Japan. The conference of the 19th was followed by a second on the 21st which Harris failed to attend, and concerning which a sharp exchange of letters took place between him and Alcock. Harris took a position which was sound at the time and which was endorsed by later events, and which, if recognized, would have averted much bloodshed and ill-will:

> It strikes me that all the arguments at the conferences referred to, are based upon the assumption that the Japanese Government represented a civilization on a par with that of the Western world; that is a grave error. The Japanese are not a civilized, but a semi-civilized people, and the condition of affairs in this country is quite analogous to that of Europe during the middle ages. To demand, therefore, of the Japanese Government the same observances, the same prompt administration of justice, as is found in civilized lands, is simply to demand the impossibility; and to hold that Government responsible for the isolated acts of private individuals, I believe to be wholly unsustained by any international law.[8]

After arguing against the withdrawal to Yokohama, which Harris believed would not produce any beneficial effect, and would be an important step toward a war with Japan, he added:

[8] P.P. 1861, Lords 18, p. 43. Alcock finally adopted this view in 1865. See Chapter XI.

I had hoped that the page of future history might record the great fact that in one spot in the Eastern world the advent of Christian civilization did not bring with it its usual attendants of rapine and bloodshed; this fond hope, I fear, is to be disappointed.

I would sooner see all the Treaties with this country torn up, and Japan return to its old state of isolation, than witness the horrors of war inflicted on this peaceful people and happy land.[9]

On January 26 the representatives of Great Britain, France, and the Netherlands retired to Yokohama, and the Prussian envoy followed soon after his treaty was signed.[10] On the day of the withdrawal Alcock addressed a long and querulous letter to the ministers of foreign affairs protesting against the many murders, the failure to arrest and punish the assassins, and the general insecurity of life. He announced his withdrawal, and stated that he was ready to return to Yedo "whenever I can see such material guarantee for redress in respect to past grievances, and security for the future as may warrant the step."[11] It is of interest to note that when the news of this decision reached England, Lord Russell again warned Al-

[9] P.P. 1861, Lords 18, p. 44.

[10] The signing of the Prussian treaty, January 24, 1861, was, of course, in violation of the orders from the Mikado which permitted only temporary relations with the foreigners and looked to their ultimate expulsion. This treaty omitted any reference to the opening of other ports than Kanagawa, Nagasaki, and Hakodate (J. J. Rein, Japan, 347).

[11] P.P. 1861, Lords 18, pp. 7–10.

cock not to break off relations with the Japanese, and added, "Except in a case where immediate action is required to preserve the lives and properties of British subjects, or of the subjects of foreign powers in amity with Her Majesty, it is the desire of Her Majesty's Government that the employment, or even the menace of force should not be resorted to."[12]

Certain inconsistencies in this policy are at once evident. If, as Alcock had asserted, the Japanese authorities desired to force the ministers out of Yedo, was not this retirement playing right into their hands? And why should the Japanese, who were already under heavy expense for guarding the legations, offer any further guarantees in order to induce the ministers to return, especially if they considered their presence a source of trouble? Harris pointed out the difficulty he had met with in securing the article providing for the residence of a minister in Yedo, and he, at least, would not endanger the exercise of that right. So he held his post, amid the many dangers, confident that he would be safe if he observed reasonable measures of precaution.

For more than a month Harris remained in Yedo, alone and undisturbed. At Yokohama his colleagues must have been surprised at the failure of the Japanese immediately to meet their demands. A week passed before even an informal inquiry was made,

[12] Ibid., 11.

and it was not until February 8 that the ministers for foreign affairs formally acknowledged the despatch of January 26, stating that repeated deliberations were necessary in order to take proper measures.[13] In the meantime Alcock instructed the British consul at Kanagawa to gather all possible information concerning official interference with trade at Yokohama. A public meeting, attended by sixteen persons, was held on the 7th, and a committee which was appointed to gather the desired information reported two days later.[14] From that report it is evident that the one real difficulty was the currency. The merchants desired the free circulation of dollars throughout the Empire. Of the non-enforcement of contracts, however, only one case was found; of official interference with trade, only two instances; as to want of system at the custom-house and inadequate wharfage accommodation, there was no specific complaint, nor was there any as to the occupation of land at Yokohama. As to security of life and property, on this point the committee agreed that the government was apparently anxious to protect the foreign community.

From this report, drawn up by a representative committee of merchants, it is evident that the sweeping charges of treaty violation could not be substan-

[13] Ibid., 70.
[14] Ibid., 58.

tiated at this time. In fact, Alcock reported to Lord Russell, on March 3, that the trade of Yokohama more than realized the most sanguine anticipations.[15]

In order to hasten the deliberations of the ministers, Alcock advised them on February 13 that he proposed to travel through the country and visit all the open ports.[16] Knowing how loath the government was to have the foreign representatives travel in the interior, he believed that this suggestion would have some effect, and the event convinced him that he had "made no miscalculation as to the effectiveness of the new weapon brought to bear."[17] A week later Sakai Wookionoske, a member of the Second Council, arrived in Yokohama as an envoy of the Tycoon to consult with Alcock and De Bellecourt. Conferences were held on February 21, 22, and 27, to the complete satisfaction of the foreign representatives, and on March 2 they returned to Yedo.[18]

An analysis of the agreement made at this time, which was confirmed by the ministers for foreign affairs, does not convince one that the drastic measure of striking the flags and withdrawing from the capital was by any means necessary. The most important clause was as follows: "The Tycoon, by and with his Council of State, formally engages to pro-

[15] Ibid., 82.
[16] Ibid., 70.
[17] Alcock, II, 61.
[18] P.P. 1861, Lords 18, pp. 71–82.

vide effectively for their security, together with that of the members of their respective Legations, and their exemption alike from menace and violence; and under this assurance invites them to return."[19] To be sure there had been no "formal engagement" to this effect in the past, but the Shogun's government had done everything in its power to protect the legations; and, as we shall see, even this formal engagement could not prevent the onslaughts of desperate anti-foreign fanatics. Then followed certain details as to the measures for defence, notably the substitution of mounted guards, from the Tycoon's troops, for the yaconins who had proved so unsatisfactory. Vigorous measures were pledged for the arrest and punishment of murderers, and, after much difficulty, the Japanese agreed to fire a royal salute of twenty-one guns for each flag as it was raised in Yedo, the salute to be returned from the foreign war-ships.[20]

[19] P.P. 1861, Lords 18, p. 73.

[20] "After Mr. Heusken's murder all the Ministers but Mr. Harris left Yedo. One of the conditions of their return was that a national salute should be fired when they returned. They accordingly went up. On that day all the forts at Yedo commenced firing early in the morning at sunrise and fired all morning. When the ministers arrived they stopped for a few minutes and then the fort at Shinagawa fired the salute and then in a few minutes all the forts fired away again till sunset. The consequence was no one in Yedo but those in the secret knew that any salute had been fired" (Pruyn MSS., November 20, 1862).

At the same time certain complaints regarding affairs at Yokohama were brought forward and a promise was made that they would be remedied. One of these provisions called for the removal of the consulates from Kanagawa to Yokohama. Thus the proposal of Lord Ii, of two years ago, was finally accepted. It was stipulated by Alcock and De Bellecourt that the consuls should not reside within the foreign settlement, but on the "Bluff," as "an effective innovation on the stereotyped 'Decima' policy of this Government."[21] As a matter of fact they eventually were located in the heart of the foreign settlement, where they should have been from the very beginning had not the unreasoning suspicion of the foreign ministers outweighed the necessities of the case.

While twenty-one cannon roared out a "royal salute" the flags of the two treaty powers were unfurled in Yedo, and, as Alcock affirmed, "thus ended the grave crisis—ostensibly to the satisfaction of all parties."[22] But there can be little doubt today that in remaining in Yedo and placing confidence in the good faith of the Japanese government, in recognizing the difficulties under which it labored, and in endeavoring to cooperate with it, Townsend Harris more adequately met the needs of the hour. And his cour-

[21] P.P. 1861, Lords 18, p. 73.
[22] Alcock, II, 62.

age and confidence was not wasted upon the Japanese. One young samurai volunteered as a bodyguard for this undaunted foreigner, ready to lay down his life should some fanatic attack his master. He was Ebara Soroku, who became a leader in modern Japanese education and later a member of the House of Peers. Baron Shibusawa, the financial genius of new Japan, then an officer of the Shogunate, has testified: "This incident won for America the goodwill of Japan."[23]

While Harris, on the ground, had adopted so conciliatory an attitude, his government, unknown to him, stood forth as the advocate of a strong policy. On learning of the murder of Heusken, Mr. Seward, secretary of state, on May 14 addressed a circular note[24] to the ministers of Prussia, Great Britain, France, Russia, and Holland, proposing a joint naval demonstration in Japanese waters. Instead of postponing the opening of Yedo, as Harris had suggested, the President believed that no concession should be made, and he proposed

> that those powers should announce to the government of Japan their willingness and their purpose to make common cause and co-operate with this government in exacting satisfaction, if the Japanese government should not at once put forth all possible effort to secure the punishment of the assassins of

[23] N. Masaoka, editor, Japan to America, 10.

[24] Seward to Baron Gerolt, Prussian minister, May 14, in For. Rel., 1862, p. 547. Moore, V, 747, cites letter to Mr. Stoeckle, Russian minister, May 20.

Mr. Heusken, and also in making requisitions with signal vigor if any insult or injury should be committed against any foreigner residing in Yedo, after the opening of the city in January next, according to the treaty.

With these suggestions was submitted a form of a convention for carrying them into effect: "This projected convention contemplated the despatch of a fleet of steamers adequate to impress the Japanese government with the ability and the determination of the states engaged, to secure a performance of its treaty stipulations."[25] The ministers forwarded the proposals and the convention to their respective governments, but before any answers were received Harris's later despatch of May 8 cleared up the situation and the matter was happily dropped.

This proposition was a remarkable one, not merely in view of America's traditional policy, which was opposed to joint operations with European states, but also when the situation in the United States at the time was considered. The Civil War had begun, the intention to blockade the southern ports had been declared; surely the Federal Government could ill afford to spare any steamers to take part in a demonstration against Japan. The unusual nature of this suggestion inclines one to believe that it was due to foreign complications quite remote from Japan. These were weeks of great uncertainty in Washington, and of great stress in foreign affairs. Seward,

[25] For. Rel., 1862, pp. 814–816.

especially, was at a loss how best to proceed. In his famous letter to the President of April 1 he had outlined a foreign policy of amazing vigor. Explanations of certain acts were to be demanded of Great Britain, Russia, Spain, and France, and if the two latter did not give immediate satisfaction, war was to be at once declared.[26] This proposal has been interpreted as a measure for turning the minds of the people away from threatened civil war to the excitement of a foreign contest. Yet a few weeks later, Seward proposed the convention for a joint demonstration in the Orient to three of these very powers. Perhaps at this time he was anxious to strengthen the relations of the North with the European states by advocating a policy toward Japan which he felt sure they would endorse.[27] During his administration Mr. Seward consistently instructed the American ministers in Japan and China to act in concert with their colleagues, and these instructions were carried out by Mr. Pruyn and Mr. Burlingame. But never again did

[26] F. Bancroft, Life of William H. Seward, II, 133.

[27] On May 21, however, Seward, irritated at Great Britain's proclamation of neutrality, drafted his despatch No. 10 to Mr. Adams, minister to St. James, "which, if transmitted and delivered in its original form, could hardly have failed to endanger the peaceful relations of the two countries" (J. G. Nicolay and J. Hay, Abraham Lincoln, IV, 269). President Lincoln revised the despatch so as to remove the needlessly brusque statements.

the United States take the lead in proposing joint operations against Japan.

Harris's despatch of May 8, which caused Seward to alter his policy toward Japan, covered a letter from the Tycoon to the President and one from the ministers for foreign affairs to the secretary of state.[28] The purpose of these was to request the postponement of the opening of the remaining treaty ports and cities. The ministers pointed out that the present commerce "has led to a result generally experienced and very different from what was anticipated: no benefit has been derived, but the lower class of the nation has suffered from it already." Prices had risen, they asserted, and this fact had augmented the ancient opposition to foreign intercourse. They pleaded for delay, for seven years in fact, until "public opinion should be reassured and gradually prepared, commerce organized by degrees, prices of things find their level, and the old custom changed in such a manner that a prosperous intercourse with foreign countries may become the wish of the nation." Harris reported that this might seem to be a retrograde action, but it would not be considered such in view of the facts. Prices, he said, of all articles of exports had risen in the past two years from one hundred to three hundred per cent, and complaints from officials of fixed and limited salaries were loud.

[28] For. Rel., 1862, pp. 794–797.

He had already advised postponing the opening of Yedo, and he now realized that the residence of foreigners in Osaka, which was located near Kyoto, might occasion hostility. Hiogo was merely the seaport of Osaka, and Niigata was of little value as a port. He requested, therefore, discretionary power to act in concert with his colleagues as might seem advisable for the interests of both countries. This request was granted by the President, and the discretion was conferred, while Seward urgently insisted that, except in the extremest necessity, no postponement be consented to unless satisfaction of some marked kind was received for the murder of Mr. Heusken.[29]

Ever since that unhappy outrage Harris had been kept informed of the efforts of the authorities to punish the assassins. He was convinced that they were acting in good faith and earnestly desired to discover and punish them. A large number of Japanese had been arrested on suspicion and some executed for other crimes.[30] Three of Heusken's mounted escort and four of the guards at the guard-house were dismissed for neglect of duty, and, as he said, "to a Japanese official such a punishment is next to a death penalty; for it deprives him of all means of support, except beggary, as he would prefer suicide to what he would

[29] August 1. For. Rel., 1862, p. 815.
[30] For Rel., 1862, pp. 797–798.

consider as the degradation of labor."[31] But the government was never able to arrest and convict the real offenders, and before the incident was settled a far greater outrage had been perpetrated.

For the past three months the utmost quiet had prevailed in Yedo. During that time Mr. Alcock had visited China and on his return had travelled overland, in company with Mr. de Wit, the Dutch consul-general, from Nagasaki to Yedo. On July 4 he returned to the British legation, and on the next night a "daring and murderous" attack was made.[32] A band of fourteen ronins, sworn to drive out the hated barbarians, flung themselves upon the Japanese guards at the legation, burst into the temple residence, and wounded two of the Englishmen, Mr. Oliphant, the secretary of the legation, and Mr. Morrison, British consul at Nagasaki, who was a guest. This time the guards, when they had recovered from the first shock of the attack, fought desperately, killing three of the ronins on the spot and wounding one. Of the Japanese at the legation two were killed, and five severely and ten slightly wounded.

Such an attack upon the representative of one of the great powers aroused the profoundest indignation. Mr. Alcock was inclined to believe that the attack, if

[31] Ibid., 805.

[32] P.P. 1862, Com. 64, pp. 1–25; For. Rel., 1862, pp. 799–803; For. Rel., 1861, pp. 437–441; Alcock, II, 151–170.

not instigated by the government, was at least made with the knowledge of some or all of the Great Council, for "these acts of violence are all in perfect accordance with the desire they do not conceal, to extricate the country from the obligations of Treaties, and revert to the ancient policy of isolation, even at the price of a violent rupture."[33] He also placed no confidence in the Japanese guards, and secured a guard of twenty-five men from the British war-ship *Ringdove* the next day. In notifying his colleagues of the attack he requested their views as to what should be done.

On his part, Harris considered "the present as a crisis in the foreign affairs of Japan." If the government was too weak to punish the guilty parties, then Great Britain might take some decided action. But he found one reason for encouragement in the stiff fight put up by the guards: "This is the first instance in which a blow has been struck in defence of a foreigner in this country, and may be considered as proof of the desire of the government to give us protection."[34]

[33] P.P. 1862, Com. 64, p. 5.

[34] For. Rel., 1861, p. 437. "There is a party in this country who are opposed to the presence of any foreigners in Japan, and, in addition to this, there is a very strong dislike to the English in particular, which feeling seems to attach especially to Mr. Alcock. He was absent from this city for some three months, during which time the utmost quiet prevailed; yet within thirty-six hours after his return the attack in question was made on him" (Harris, in For. Rel., 1861, p. 437). Alcock

On the 8th Harris addressed the ministers for foreign affairs, and pointed out that any failure to arrest and punish the authors of the most recent crime would result in the "most lamentable consequences."[35] For the preceding attacks no one had been arrested or punished, but this time a prisoner had been taken and a list of fourteen accomplices had been found. From these two sources enough information should be obtained to ferret out the guilty and adequately punish them. Three days later Harris had an interview with the ministers for foreign affairs in which he pressed home the advice given in his letter. They told him that the attack had been delivered by fourteen men, belonging to a band of desperate outlaws, "willing to make themselves the exponents of the national feelings, and who glorified in sacrificing their lives in such a cause. They attacked the British legation, hoping not only to distinguish themselves by slaying all the members of the mission, but also to bring about a war with the foreigners, and thereby a return to their old state of isolation." The ministers furthermore said that the desperadoes were men of low degree, and were

replied to this by stating that if it were true it might be more naturally accounted for by the statements made by Harris concerning the English during his negotiation of 1858 (Alcock, I, 215). An exchange of letters between Alcock and Harris at this time showed that good relations had not been restored (For. Rel., 1861, p. 440; 1862, p. 801).

[35] For. Rel., 1861, p. 439.

without instigators or abettors among men of high rank or station; and they hoped that as Harris "had been so long in the country, and knew its condition better than any other foreigner," he would give his testimony in support of their representations. Of the fourteen engaged in the attack seven[36] were accounted for, and every effort would be made to arrest those who had escaped; but this would be difficult, as was shown by the failure to secure all the men who had murdered Lord Ii more than a year ago. They furthermore protested that Alcock had refused to allow the Japanesè guard to be posted as they had desired, and said that they were ready to afford the same protection to the foreign representatives as they themselves enjoyed.[37]

Alcock naturally had been carrying on an extended correspondence with the ministers. On the 7th he described the attack, complained against the supineness and tardiness of the Japanese guard, pointed out the grievous nature of the outrage, insinuated that some daimyo must be the instigator of the deed, and asserted that "unless signal satisfaction be given, and ample security for the future, the common voice of Europe will hold the Government responsible for the acts of

[36] Three were killed on the spot, one was wounded and captured, and three committed hara-kiri at Shinagawa, of whom one was taken alive.

[37] For. Rel., 1862, pp. 799–800.

its subjects."[38] He followed this up on the 11th with a letter in which he required the ministers "without delay, to answer categorically and truly the following queries" concerning the steps taken by the government in the matter.[39] This despatch, with its insinuations and demands, might well have been ignored by the ministers. On the 13th they replied to his letter of the 7th, requesting that he withdraw the British guard, lest in their ignorance of the language they wound friends as well as foes, and stating that the crime had been the work of persons of low standing without any secret instigator of rank.[40]

Alcock's conference with the Japanese ministers took place on the 20th. They made practically the same explanation that they had given Harris, but they frankly stated that although they would do all they could to protect the foreigners, yet in the present state of the country such attacks were inevitable; they themselves were menaced from the same hostile motives, "nor could any Government be held responsible for the isolated acts of individuals, or outrages perpetrated by bands of their lawless subjects." At this interview the ministers presented to Alcock letters from the Tycoon and themselves asking for the postponement of

[38] P.P. 1862, Com. 64, pp. 7–8.

[39] Ibid., 19. The ministers frequently asked for delay in order to translate properly Alcock's long despatches.

[40] Ibid., p. 20.

the opening of the ports.[41] In the three weeks which had elapsed since the attack Alcock found the question at issue narrowed down to this: Does the government lack the will or the power to protect the flags and the representatives of the treaty powers? His final opinion was that the government had no "deliberate intention" to allow them to be sacrificed by assassins or by the followers of any daimyo.[42]

After his interview with the ministers for foreign affairs Alcock notified his colleagues that "what line of conduct and course of general policy may eventually be best adapted to meet the exigencies of such a position, is a grave question, and full of difficulty, but one for the decision of Governments rather than Diplomatic Agents."[43] Therefore no exchange of views occurred among the representatives in Japan. It should be noted that on this occasion the Dutch consul-general announced that he would not return to Yedo until further instructed by his government, for the same reasons which caused him to withdraw earlier in the year,[44] but Alcock and De Bellecourt remained in their legations. It might be argued that far greater reason

[41] P.P. 1862, Com. 64, pp. 13–16.

[42] Ibid., 23, 28; For. Rel., 1862, p. 802. At this time Alcock had the idea, later proved to be quite erroneous, that the attack was instigated by the Prince of Tsushima in revenge for an insult offered by the Russians the preceding year (P.P. 1862, Com. 64, p. 23; Alcock, II, 161–164).

[43] P.P. 1862, Com. 64, p. 18.

[44] For. Rel., 1862, p. 801.

was given by the last attack for withdrawing from Yedo than in the case of the murder of Mr. Heusken; but this time Alcock reported that an advantage had been gained through remaining, for it held in check those who thought the foreign representatives could be driven from the capital by violence and intimidation.[45] Mr. Harris must have taken some comfort from his colleague's change in policy.

On the receipt of Harris's despatch describing the attack on the British legation, Mr. Seward assured the British government directly "of the willingness of the United States to co-operate with it in any judicious measure it may suggest to insure safety hereafter to diplomatic and consular representatives of the western powers in Japan, with due respect to the sovereignties in whose behalf their exposure to such grave perils is incurred."[46]

[45] P.P. 1862, Com. 64, p. 27. Oliphant's views, as expressed to Sir Harry Parkes at Hongkong, in September, 1861, while on his way to England, were that "we must cease, for a time at least, to be the thorn in the side of the Japanese that foreigners and foreign treaties have been during the last three years; that they, the Japanese, must be allowed time to digest those treaties, which were rammed down their throats too hastily in the first instance and which are evidently disagreeing with them; that, in a word, we must slack the strain, or the string of our connection with them will snap" (Dickins and Lane-Poole, I, 450). If, as was expected at the time, Oliphant had succeeded Alcock, this slackening of the strain might have taken place.

[46] For. Rel., 1861, p. 441.

When Harris finally received discretionary power to agree to a postponement of the opening of the ports it was coupled with an instruction to first secure satisfaction "of some marked kind" for the murder of Mr. Heusken. This demand caused him to review the whole incident and to determine what form the satisfaction should take. His despatch to Mr. Seward of November 23 shows how thoughtfully he considered the whole question and gives further confirmation of his keen sense of fair play.[47] The satisfaction, he believed, might take three forms: "1st, by the arrest and punishment of the assassins; 2d, by a salute to our flag; or 3d, by a money payment as an indemnity." On an examination of the facts he could acquit the Japanese government of any complicity in the murder, and he was convinced that "they have loyally and seriously endeavored to arrest and punish his assassins." A salute to the flag, under the circumstances, with no American ship to receive it, would mean nothing. A money indemnity presented two difficulties: It might be taken as a satisfaction for the murder, or as a "condition precedent" for postponing the treaty stipulation, but he had not "the least doubt that the ministers will readily agree to any demand I may make, provided it be in their power to comply with it." He knew whereof he spoke, for when he met with them in conference on the 27th they agreed to

[47] For. Rel., 1862, pp. 804–806.

give any satisfaction in their power; assured Harris that they were making every effort to arrest and punish the murderers; and willingly agreed to pay for the support of Heusken's widowed mother the sum of $10,000, which was not to be considered payment for his blood, or an atonement for the murder, or a release from the obligation to arrest the murderers.[48]

Harris promptly notified his colleagues that he had received satisfaction for the murder of Heusken, and that he possessed discretionary power as to postponing the opening of the ports. He stated that he was convinced that it was not desirable to open Yedo at present, and he requested their opinions as to the other ports.[49] Alcock and De Bellecourt, however, were not ready to take up the question at that time. The former had recommended to Lord Russell, on August 16, that the postponement be granted, and had proposed to make a rule, under the Order in Council, suspending the opening of Yedo.[50] Oliphant, who had been wounded in the attack on July 5, had been sent home with despatches and first-hand information for the foreign secretary. He arrived in London on October 28, and on November 23 Lord Russell sent out instructions covering the attack on the legation and the

[48] For. Rel., 1862, p. 806. Compare this sum with the £125,000 demanded for the murder of Richardson. The latter sum was exemplary rather than compensatory.

[49] November 27. Ibid., 807–809.

[50] P.P. 1862, Com. 64, p. 33.

postponement.[51] These, in brief, insisted upon the payment of a pecuniary indemnity for Oliphant and Morrison and the granting of a full equivalent for the postponement. Almost four months passed before Alcock attempted to follow out these instructions.

Early in the new year two events occurred which testified to the unstable equilibrium of Japanese politics. On January 23, 1862, the second Japanese mission to the treaty powers steamed, in a British frigate, down the Bay of Yedo.[52] It consisted of three ministers plenipotentiary and a retinue of thirty-two officers and servants, under instructions to visit the governments of Great Britain, France, Prussia, Russia, the Netherlands, and Portugal. This opening of direct relations with the European powers was considered a hopeful sign, although the principal object of their mission was to urge the postponement of opening the additional ports.

The other event was the attempt, on February 14, to assassinate Ando Tsushima-no-Kami, one of the ministers for foreign affairs, by a band of eight ronins.[53] This time the escort was on the alert, and although the minister was twice wounded his life was saved, and seven of the eight assailants were cut down

[51] Ibid., 72–73.

[52] Alcock, II, 377–383.

[53] Retainers of Hori Oribe-no-Kami, who had committed hara-kiri because of a reprimand from Ando (Cambridge Modern History, XI, 844).

on the spot. Of all the ministers, Ando was considered the one best disposed toward foreigners, and on this account he had been signalled out for destruction.[54] This event, coupled with the murder of Lord Ii, should have convinced any doubters of the difficulty which the government experienced in dealing with desperadoes of this type, who considered themselves patriots.

On March 17 Alcock reported to Russell his endeavors to settle the two questions at issue,—reparation for the legation attack and postponement of opening the ports.[55] As to the first, the Japanese promptly met his demands. An indemnity of $10,000 was granted for Oliphant and Morrison, a new site for the British legation was conceded, and the execution of two of the assailants recently captured was promised. When he demanded some equivalent for the postponement of the treaty concessions, however, the Japanese frankly confessed that they could not agree. It was their hope, if there were no further development in foreign intercourse, to allay the present national antipathy within the next six years; but if any of the new ports were opened, or any equivalent was demanded, they despaired of being able to carry out their plans. Alcock appreciated the force of these

[54] Alcock, II, 395–397; For. Rel., 1863, II, p. 1067; Japan, 1853–64, pp. 41–42.

[55] P.P. 1863, Com. 74, pp. 15–22.

arguments, and promised on his return to London to ask government to send out fresh instructions and authority to make large concessions "upon the understanding always that some equivalent or corresponding advantage should be gained to compensate the loss, either in the public repeal of all hostile law and the sanction of Treaties, the improvement of our position at the open ports, or other ports in lieu." As Alcock was about to depart for England on sick leave, he offered to take with him Moriyama, the interpreter, as a bearer of despatches to the Japanese envoys there. This offer was accepted. In spite of the better relations which had been established, Alcock left on March 23 without an audience of leave of the Shogun, because he considered certain features of the proposed ceremonial derogatory to himself.

On his arrival in England the matter was taken up with the Japanese envoys, and on June 6 a memorandum was signed by Lord Russell and the Japanese.[56] This postponed until January 1, 1868, the opening of Niigata and Hiogo and the residence of British subjects in Yedo and Osaka. These concessions were made in order to enable the Japanese ministers to overcome the existing opposition, but "they expect the Tycoon and his Ministers will in all other respects strictly execute at the ports of Nagasaki, Hakodadi, and Kanagawa, all the other stipulations of the Treaty;

[56] P.P. 1863, Com. 74, pp. 6–8.

that they will publicly revoke the old law outlawing foreigners; and that they will specifically abolish and do away with" certain specified restrictions on commerce and social intercourse.[57] In default of the strict fulfillment of these conditions the concessions would be withdrawn and the Tycoon would be called upon to open the ports. In addition the envoys agreed to submit to the Tycoon the policy and expediency of open-

[57] These were: "1. All restrictions, whether as regards quantity or price, on the sale by Japanese to foreigners of all kinds of merchandize according to Article XIV of the Treaty of 26th of August, 1858. 2. All restrictions on labour, and more particularly on the hire of carpenters, boatmen, boats, and coolies, teachers, and servants of whatever denomination. 3. All restrictions whereby Daimios are prevented from sending their produce to market, and from selling the same directly by their own agents. 4. All restrictions resulting from attempts on the part of the Custom-house authorities and other officials to obtain fees. 5. All restrictions limiting the classes of persons who shall be allowed to trade with foreigners at the ports of Nagasaki, Hakodadi, and Kanagawa. 6. All restrictions imposed on free intercourse of a social kind between foreigners and the people of Japan." In addition to the question of postponement, the Japanese raised twelve other questions, most of them concerned with details, and these were properly left to be discussed and settled in Japan. But Lord Russell flatly refused to give up the escort of British cavalry which had been established at the legation in Yedo (P.P. 1863, Com. 74, pp. 7, 13, 15, 28). It should be noted that Russell did not act upon Alcock's suggestion that the treaties be ratified by the Mikado. The mission visited all the European treaty powers and secured their consent to the postponement of opening the ports on terms similar to those in the British memorandum (Alcock, II, 407).

ing Tsushima;[58] of placing glassware among the articles dutiable at five per cent; and of establishing bonded warehouses.

It has been necessary to follow this question of postponing the opening of the ports in order to note the conditions with which it was surrounded. During the next six years it was possible at almost any time to cite some violation, real or imagined, of this London Convention as a reason for demanding the immediate opening of the ports and cities.

Townsend Harris's term of service was now drawing to its close. On July 10, 1861, he had desired Mr. Seward to lay before the President his request to be recalled, on the ground of impaired health and advancing years.[59] His resignation was accepted on October 7 by the President, with "profound regret,"[60]

[58] In 1861, from March to September, a Russian force was established on Tsushima Island, and its withdrawal was largely due to the representations of the British admiral directly, and of the British government through its ambassador at Petrograd (Michie, II, 111–115). In his instructions to Alcock of November 23, 1861, Russell had included the opening of Tsushima and the neighboring coast of Korea among the equivalents to be demanded.

[59] For. Rel., 1862, p. 799. Mr. E. H. House, a friend of Harris's later years, states that he resigned "under a mistaken sense of his obligations" on the inauguration of the Republican administration (Atlantic Monthly, vol. 47, p. 610). But the dates do not confirm this, and the statement made in his letter of resignation probably describes the case correctly.

[60] For. Rel., 1862, p. 816.

and Robert H. Pruyn, of New York, was appointed as his successor. He was expected to arrive early in January, as Harris had requested.

When the Shogunate government learned that Harris was to be recalled it addressed a letter to Seward testifying to his ability, knowledge of the country, and friendly attitude, and begging that he be allowed to remain.[61] This letter, of course, could have no effect in view of Harris's expressed wishes and the appointment of his successor. This expression of esteem was repeated when Harris took his leave. On April 25, 1862, Mr. Pruyn arrived at Kanagawa, and the next day Harris had his farewell audience of the Shogun, and thus ended his five strenuous years as pioneer consul and minister in Japan.

No one can study this troubled period of Japanese affairs without gaining a high admiration for the services of Townsend Harris, but unhappily too few have scanned one of the most creditable pages of America's diplomatic history. Mr. John W. Foster, himself a diplomat and secretary of state, has paid this tribute: 'He reflected great honor upon his country, and justly deserved to rank among the first diplomats of the world, if such rank is measured by accomplishments.'[62] Japanese encomiums are not

[61] December 5, 1861. Ibid., 812, 822. A similar letter was sent to Lord Russell concerning Alcock, on March 20, 1862, just before he left Japan on leave (P.P. 1863, Com. 74, p. 10).

[62] Foster, 186.

wanting, for beyond question he is better known and appreciated in Japan than in his own land.[63] The estimate of Longford, British consul and historian, is a noble one: "The story of how, unbacked by any display of force under his country's flag, he succeeded by his own personal efforts in overcoming the traditional hatred of centuries to even the smallest association with foreigners, is one of marvelous tact and patience, of steady determination and courage, of straightforward uprightness in every respect, that is not exceeded by any in the entire history of the international relations of the world."[64] Mr. Seward fittingly said: "It is a deserved crown of his long period of public service that the same high appreciation of his merits and usefulness is entertained by the government which sent him abroad and by the government near which he has been accredited."[65]

The opening of Japan to foreign intercourse after

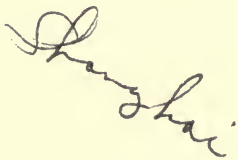
[63] Nitobe, Intercourse between United States and Japan, 115; Shibusawa, in Japan to America, 19; S. G. Hishida, International Position of Japan as a Great Power, 111, 114, 117; Griffis, Harris, 331–333. After his return to the United States Mr. Harris lived quietly in New York City until his death on February 25, 1878. In 1909, when the Japanese Commercial Mission visited this country, its members found the grave of Harris in Greenwood Cemetery, Brooklyn, and placed a floral tribute upon it.

[64] Longford, 302.

[65] For. Rel., 1862, p. 822.

two hundred years of seclusion was not the work of any man or of any single agency. A combination of circumstances and a group of forward-looking Japanese and foreigners made it possible. But if one man is entitled to a full measure of praise it is Townsend Harris. His honesty and his fairmindedness while isolated at Shimoda won the respect and the confidence of the Japanese. That victory gained, the negotiation of his great treaty was no difficult matter, and Japan peacefully conceded almost all that China had been forced to grant after two unhappy wars. If the story of Japan's relations with the western powers reads so differently from that of China's bitter experience, much of the credit is due to Townsend Harris as well as to Lord Hotta and Lord Ii. After he had negotiated his revolutionary treaty Harris remained for two years to help the Japanese enter upon their new relations. He was the first to recognize the immediate difficulties created by foreign intercourse and the first to recommend that some of the concessions granted in his treaty be postponed. While the blades of the ronins were flashing he kept his head, and his refusal to join his colleagues in their withdrawal from Yedo brought into relief the futility of their action. Above all, he tried to understand the Japanese point of view and to reconcile his country's interests and those of Japan, and in doing so he was a real statesman, for

he was building for all time. The student of international relations may well consider how these problems might have been solved in Japan if all the foreign representatives and their home governments could have recognized in time the fundamental wisdom of the policy of Townsend Harris.



CHAPTER VII

Robert H. Pruyn, Second Minister Resident

In the selection of a successor to Townsend Harris the United States was again most fortunate in its choice of a representative in Japan. In spite of the serious situation which had developed with the progress of the Civil War and the strained relations with England and France in the first year, Mr. Seward considered the mission to Japan one of extreme importance, and desired to have some one there whom he knew thoroughly and on whose sound judgment he could rely. Such a representative he found in Robert Hewson Pruyn, of Albany, New York. Mr. Pruyn was born in that city on February 14, 1815, of Flemish ancestry. Educated at the Albany Academy and Rutgers College, he had been admitted to the bar in 1836, and had promptly entered upon a career of public service. First serving as attorney and corporation counsel for his native city, he later entered the State Assembly, and in 1854 was elected speaker of the House by the Whig majority. During these years he was the intimate friend of Mr. Seward and his strong political supporter. With the success of the Republican party in 1860, Mr. Pruyn was assured

of an important appointment; but with the resignation of Mr. Harris, Mr. Seward, after consultation with President Lincoln, made a strong personal request that Mr. Pruyn accept the Japanese mission. He was loath to do this. At such a time, when the fate of the nation was at stake, it required a high sense of civic duty for a man to accept so dangerous, difficult, and remote a post. Mr. Pruyn did accept, however, and the event justified the confidence which Mr. Seward had placed in him. In his letter of instructions of November 15, 1861, Seward pointed out the difficulties which Pruyn would have to face, due to the loss of national prestige during the war and to the hostility of the Japanese to foreign intercourse:[1]

> You will find no open questions for discussion in your mission. It is important to preserve friendly and intimate relations with the representatives of other western powers in Japan. You will seek no exclusive advantages, and will consult freely with them upon all subjects, insomuch as it is especially necessary, at this time, that the prestige of western civilization be maintained in Yedo as completely as possible. In short, you will need to leave behind you all memories of domestic or of European jealousies or antipathies, and will, by an equal, just, and honorable conduct of your mission, make the simple people of Japan respect, not only the institutions of your own country, but the institutions of christianity and of western civilization.

On April 25, 1862, Mr. Pruyn arrived at Kanagawa, and was conveyed to Yedo in the Shogun's

[1] For. Rel., 1862, p. 817.

steam-yacht *Emperor,* the gift of the British government to the Tycoon.[2] His reception in Yedo and by the ministers for foreign affairs and the Council of State was marked by the utmost cordiality. On May 17 he was received in audience by the Shogun and presented his credentials. Here also the evidence of good-will was marked. The ceremony was the same as that used in the case of Mr. Harris, the Japanese refusing to make any unfavorable distinction between the minister resident and his colleagues, —Alcock, then absent on leave, being an envoy extraordinary and minister plenipotentiary, and De Bellecourt, a minister plenipotentiary.[3]

The American minister took up his residence in the temple-legation where Harris had held his ground during almost three eventful years. He also was for a time the only foreign representative in Yedo. The temple grounds were defended by a double pali-

[2] Mr. Pruyn was delayed on his way to Japan through the illness and death of his son in San Francisco. Because of the war no national vessel was available to convey him to Japan, as had been planned; and although the Russian government placed the corvette *Caravala* at his disposal, he thought it unwise to sail under a foreign flag. He, therefore, chartered the American sailing-ship *Ringleader.* No trans-Pacific steamships were then in operation.

[3] For. Rel., 1862, p. 812. Pruyn understood that this was why Alcock refused to take an audience of leave. Portman told Pruyn that his audience contained unusually friendly features, such as the escort back to the legation. The audience is described in Pruyn MSS., May, 1862.

sade of bamboo, with frequent guard-houses. At least one hundred and sixty soldiers, later increased to two hundred and eighty-four, part being two-sworded yaconins of the Shogun's forces and part troops of the daimyo in charge of protecting the legation, were constantly at their posts. No one was allowed to enter the enclosure except those whose business was known, and when any of the residents went abroad on horseback, thirty-two mounted yaconins and twenty-two fleet-footed bettoes (grooms) accompanied them. None of the Americans ever went armed, in distinction to the other foreigners, who generally wore sabres and revolvers.

In one respect Mr. Pruyn entered upon his mission under favorable circumstances. There can be little doubt that the friendliness, sympathy, and good-will of Townsend Harris had caused the Japanese to feel more kindly disposed toward Americans than toward any other nationals. Mr. Pruyn felt this at once, and the Japanese in turn continued to look to him as their adviser and mediator as they had in the case of Harris. In fact the next year the French minister confessed that the American minister alone could secure results, and that soon "everything will have to be done through the Americans."[4]

In every other respect, however, Mr. Pruyn's position was a most difficult one. The Civil War at

[4] Pruyn MSS., March 12, 1863.

home caused doubts as to the very survival of the government which he represented. It prevented the presence of an American fleet in eastern waters to support his position, and this fact led the British and French ministers, with ships at their call, to act together. Just as Harris won his great treaty without the support of a squadron, so Pruyn maintained the honor and dignity of the United States practically without material backing.[5] And the three years covered by his mission were the years which saw the culmination of the anti-foreign movement. He had to face crises far more serious than those which Harris knew. If Perry opened the gates of Japan, and Harris threw them open wide, then Robert H. Pruyn is entitled to no little credit for preventing their being closed again.

In preceding chapters the rise of the anti-foreign movement and its intricate relation with the anti-Shogunate and pro-Mikado propaganda have been pointed out. While Lord Ii lived, the imperial court and the rebellious daimyos were cowed, the trouble-making ronins were suppressed in Yedo with a heavy hand, and, although it occasioned civil war within the

[5] It must be remembered that Colonel Neale and Sir Rutherford Alcock had the support of a powerful fleet and of troops landed in Japan. Mr. Pruyn, practically without support, save for the occasional presence of one or two ships of war, exerted a strong influence upon the leaders of the Shogunate administration.

clan, the imperial order to the Lord of Mito was finally turned over to the Shogunate. With the assassination of Lord Ii in 1860, however, there was no one strong enough to take his place, and the anti-foreign feeling, so long suppressed, surged forth again. "From this time the advocates of the expulsion of the 'barbarians' increased every day," says the Japanese historian.[6] Then followed the outrages already described,—the murder of Heusken, the first attack on the British legation, and the frequent alarms in Yedo and Yokohama, all well founded, for the surrounding country was infested with anti-foreign ronins.[7] On September 17, 1861, the old Prince of Mito, Nariaki, leader of the anti-foreign forces and stout antagonist of Lord Ii, died. With his death the leadership of this cause passed to daimyos of western Japan.

One of Lord Ii's measures for reconciling the court and the castle was the arrangement of a marriage between the sister of the Mikado and the boy Shogun. After the death of Lord Ii his successors were able to carry this through. In December the princess arrived in Yedo, and on March 11, 1862, the marriage was consummated, but, unhappily, its influence was slight. In the meantime the ronins had struck again, this

[6] Yamaguchi Uji, History of Japan, translated by Satow, p. 20, cited hereafter as Japan, 1853–69.

[7] Japan, 1853–69, p. 21.

time at Lord Ando, one of the ministers for foreign affairs, because of his support of the pro-foreign policy. "During this period the samurai deserted from their clans in daily increasing numbers. They allied themselves with the ronins in all parts of the country to raise the cry of 'honour the Mikado and expel the barbarians.'"[8] Not for two hundred years had Japan known such internal commotion, and the Shogunate seemed unable to rise to the demands of the hour.

At this time the clans of Satsuma and Choshiu (Nagato) assumed the leadership which they held throughout this troubled period, and which they hold even to the present time. The Daimyo of Choshiu, Mori Daizen-no-Daibu, had frequently urged the Shogunate to act in harmony with and under the orders of the Mikado, pointing out that the treaties had been signed before the Mikado's approval had been obtained, and that this sort of arbitrary government might lead to the overthrow of the Shogunate.[9] About the same time Shimadzu Idzumi, brother of the late and father of the then Daimyo of Satsuma, while on his way to Yedo, was addressed by a band of ronins at Himeji, on May 4, and called upon to lead them against the Shogun's castles at Osaka and Nijo, in Kyoto, and against the castle at Hikone of

[8] Ibid., 24.

[9] Japan, 1853–64, p. 49. See his letter to the Shogun, in P.P. 1864, Com. 66 (3242), p. 27.

the Ii family, and then drive the Shogunate officials out of Kyoto, free the princes and nobles there, and escort the Mikado over the mountains, to punish the crimes of the Shogunate.[10] Instead of proceeding to Yedo, Shimadzu turned off to Kyoto, and presented the memorial of the ronins to the Mikado. The Emperor was delighted, and ordered Shimadzu to remain in Kyoto "to quiet the excitement among the ronins of all parts, and give tranquility to the Empire."[11] A few days later the Daimyo of Choshiu arrived in Kyoto and was associated with Shimadzu in control of the loyal ronins. These two nobles now stood forth as advocates of the imperial demands.

Although four years had passed since the treaties of 1858 had been negotiated, the foreign ministers were still uncertain as to the serious flaw in their validity,—the lack of the Mikado's sanction. As we have seen, Townsend Harris had realized the formal authority of the Mikado, and had twice threatened to carry his negotiations to Kyoto. But he believed that the treaties had been ratified by the Mikado, except so far as they related to Osaka, and he so informed his successor.[12] Rutherford Alcock had first been impressed with the lack of validity while making his overland journey from Osaka to Yedo, in

[10] Japan, 1853–64, p. 45.
[11] Ibid., 48.
[12] For. Rel., 1863, II, 1035.

June, 1861.[13] When, however, on August 14 he asked the ministers for foreign affairs if the Mikado had sanctioned the British treaty, they replied in the affirmative.[14] However, in the following March he suggested that "the sanction of Treaties" be one of the equivalents secured for postponing the opening of the ports, but Lord Russell did not accept the proposal. The French minister, De Bellecourt, in June did not believe that they had been ratified, but the difference of opinion and information on this score caused the ministers to determine on June 27, 1862, "to raise no questions which would imply a doubt as to the validity of the treaties." It was left for Mr. Pruyn to point out clearly and forcefully the absolute necessity of obtaining the Mikado's approval.

It was in such a milieu of doubt and uncertainty, alarms and sudden death that Mr. Pruyn began his mission. Happily he possessed a disposition which made for usefulness at such a time. First of all, he had the utmost consideration for the Japanese people as a whole, and especially for the harassed officers of the Shogunate. He realized with unusual clearness, in view of the lack of accurate information, the diffi-

[13] "I think this gave me the first clear insight as to the actual relations established by the treaties entered into on the part of the Tycoon. He had made treaties, but the Mikado had never ratified or sanctioned them, and the *Daimios could not therefore be compelled to observe them*" (Alcock, II, 137).

[14] P.P. 1862, Com. 64, p. 31.

cult position in which they were placed, between the foreigners who demanded the fulfillment of the treaties to the letter, and the rising tide of imperial opposition. He never doubted their anxiety to protect him and all foreigners, even when relations were most strained, and he was ever ready to distinguish between the acts of the Shogunate and those of the hostile Japanese who dealt their blows both at the foreigners and at the Yedo administration. Furthermore he preferred to think for himself and arrive at his own conclusions unswayed by the clamor of the treaty ports. In one of his early despatches he wrote: "I regret to say that many idle rumors are constantly agitating the foreign residents at Yokohama, many of whom are too ready to believe everything to the prejudice of the Japanese. For my part I am amazed, when I consider that two centuries of isolation have moulded the customs and opinions of this people, that there is so much freedom of intercourse and so little appearance of hostility."[15] And again: "I had learned to receive with distrust all the rumors and news of which Yokohama is the prolific parent, and which keep it in a state of constant alarm."[16] Perhaps the fact that his colleagues lived almost all the time in Yokohama, in such an atmosphere, colored their thoughts and actions. As we have seen, Mr.

[15] For. Rel., 1863, II, 1040.
[16] For. Rel., 1863, II, 1056, 1088.

Pruyn relied entirely upon the Japanese guards at the legation and never asked for American forces. Although adopting such precautionary measures as the officials recommended, he considered them designed in good faith for his protection and not in order to isolate him, and while frequently making excursions through Yedo, and up and down the Tokaido to Yokohama, he never reported a hostile act or gesture.[17] In fact the cheeriness and the good-will of the people were most evident.

With his colleagues Mr. Pruyn was on the best of terms except for a brief period at the time of the British ultimatum of April, 1863. Mr. Seward had advised the most friendly cooperation and Pruyn's genial personality made it easy. He was fortunate in having as the British chargé d'affaires Lieutenant Colonel Neale, who arrived in May, 1862, to take the place of Alcock, then on leave. Colonel Neale was more sympathetic than Alcock and his views were, at first, quite in accord with Pruyn's. From the first, official meetings were occasionally held for a consideration of the general situation and in order to insure harmonious action. Soon another alarming event occurred. On the night of June 26 a single Japanese made his way through the heavy guards at the British legation, struck down two of the British sentries, and then committed suicide. Such were the

[17] Ibid., 1028; Pruyn MSS., July 7, November 20, 1862.

facts; what was the explanation? Colonel Neale had taken up his residence in Yedo only as long before as the 12th.[18] His guard consisted of five hundred and thirty-five Japanese soldiers, partly of the Tycoon's body-guard and partly troops of the Daimyo Matsudaira Tamba-no-Kami, and thirty British sailors and fourteen officers and men of the British body-guard. If the assailant were animated by unreasoning hatred of all foreigners, surely the British legation was the last place which could have been attacked with impunity. The Japanese officials told Pruyn that one of the Japanese guard "had been suddenly seized with a kind of madness." In his opinion one or all of three reasons might have led to the crime. These were, resentment at the presence of foreign soldiers and sailors as guards, some quarrel between the two kinds of guards, or an act of revenge on the part of relatives of those who had lost their lives in the last attack on the legation.[19] The most reasonable explanation was the second, for Mr. Pruyn learned through his servants that one of the Japanese guards had been kicked by a British guard and had been goaded on to avenge the insult. A somewhat similar story was told years later to Mr. Adams and recorded in his

[18] P.P. 1863, Com. 74, pp. 30–32; For. Rel., 1863, II, 1033.

[19] For. Rel., 1863, II, 1034. "You know England nor France nor the United States, would allow any such thing as foreign guards to be landed in their cities" (Pruyn MSS., July 7, 1862).

History of Japan,[20] and the author of Kinse Shiriaku gives about the same explanation.[21]

Mr. Pruyn at once addressed a strong letter to the ministers for foreign affairs testifying to his astonishment and grief at such an outrage, regretting the want of fidelity and courage on the part of the Japanese guard, and urging the utmost promptitude and vigor in the arrest of the guilty participators, lest the repetition of such attacks degrade Japan in the opinion of the whole civilized world.[22] The French and Dutch representatives addressed similar letters, and a lengthy exchange of notes occurred between Colonel Neale and the Japanese ministers, in which the former sought some explanation of the attack, demanded additional measures and guarantees of protection, and complained loudly of the cowardice and inefficiency of the Japanese guards. The ministers made such explanations as they could, and carried out every suggestion for the defense of the legation. They also addressed a letter to Lord Russell in which they expressed the regret of the Shogun, and pointed out the measures they had taken to protect the British representative. The question now resolved itself into one of the amount of indemnity, the Japanese, on their part, offering $3000 for the relatives of the two

[20] I, 170–172.
[21] Japan, 1853–69, p. 28.
[22] For. Rel., 1863, II, 1036.

murdered men;[23] but Lord Russell in his despatch of September 22 demanded that an indemnity of £10,000 sterling, in gold, be levied upon the estate of the daimyo in charge of the legation.[24]

As for Mr. Pruyn, he was convinced of the sincerity of the distress manifested by the Shogunate officials, and he had little fear for his own safety. Soon he was the only foreign minister left in Yedo, for Colonel Neale retired to Yokohama on July 15, to await the completion of the new British legation at Goten-yama about the end of October.[25]

For the next few weeks there was a lull in the stormy relations of the time. Mr. Pruyn endeavored to straighten out a dispute as to the proper customs duty to be levied on articles imported for use in packing tea, and hence promptly exported again,[26] and Colonel Neale instituted an inquiry among British merchants as to Japanese obstructions and restric-

[23] P.P. 1863, Com. 74, p. 57.

[24] Ibid., 49. In this despatch, after stating that the admiral would take proper steps for the protection of the legation, Russell said that it might be necessary to mount three or four small cannon on the grounds.

[25] Pruyn stated that Neale withdrew because the naval captain would not leave more than twenty sailors in Yedo. There had been fifty immediately after the murders (For. Rel., 1863, II, 1042).

[26] For. Rel., 1863, II, 1039. An interesting episode at this time was the return by Mr. Pruyn of a sword stolen in Baltimore, in June, 1860, from one of the Japanese mission. It was recovered and transmitted to Mr. Pruyn by Mr. Seward.

tions on trade, but little specific information was obtained.[27] On August 21 he issued a notification that his government had consented to defer the opening of the other treaty ports and cities for five years from January 1, 1863, and a little later Mr. Pruyn wrote that when he took up the question he would try to secure as a compensation the establishment of a bonded warehouse system and the opening of the island of Tsushima.[28]

Then, out of a clear sky, came one of the most fateful of all the anti-foreign outrages. On the 14th of September four British subjects, C. L. Richardson, W. Marshall, W. C. Clarke, and Mrs. Borrodaile, a sister-in-law of Mr. Marshall, were riding on the Tokaido within the treaty limits. They had gone about three miles from Kanagawa when they met the train of Shimadzu Saburo Idzumi, father of the Daimyo of Satsuma,[29] and, as we have seen, a leader of the imperial faction. As to what then happened there is some dispute, but it appears that when they reached the main body of the procession an order was given, a retainer drew his long sword and swung right and left, and Richardson was fatally wounded, but able to ride on for more than a mile, when he fell from his horse and was there put out of his misery.

[27] P.P. 1863, Com. 74, pp. 64–73.
[28] For. Rel., 1863, II, 1043.
[29] Own father, but uncle by adoption.

Marshall and Clarke were severely wounded, but Mrs. Borrodaile, though attacked, escaped unharmed.[30]

Great was the excitement when the news reached Yokohama. The foreign community cried out for summary punishment and demanded that an armed force be sent at once to seize the nobleman and his escort.[31] Happily the British admiral refused to be a party to such a wild expedition, and thus immediate hostilities were prevented. Colonel Neale incurred the censure of the British community for his moderate measures, but his government later approved his judgment and forbearance.

Mr. Pruyn received the news in Yedo late that night; he notified Mr. de Wit, the Dutch chargé, the next morning, and they requested a joint interview with the ministers for foreign affairs. After some argument the request was granted, and the two foreign representatives joined in a strong demand that the leader of the party (whom they understood to be the secretary of the daimyo) be arrested before he escaped to Satsuma. When the ministers said that they could not arrest so important an officer, but would have to ask his daimyo to seize him, Pruyn warned them that if he were not arrested the Tokaido might be seized. The ministers finally authorized

[30] For. Rel., 1863, II, 1048–1051; P.P. 1863, Com. 74, pp. 73–94; Black, 124–144.

[31] Estimated at from 200 to 1,000 followers. Japan, 1853–64, says 600 well armed retainers (p. 54).

Pruyn and De Wit to assure their colleagues that the guilty parties would be punished whatever their position, and said that they would act promptly and vigorously. They furthermore hoped that the foreign ministers would use their influence to prevent the seizure of the Tokaido or any other hostile act.

This unhappy affair presented several complicating features. It was not deliberate murder, without excuse, by some irresponsible ronin. Instead, the blow was delivered in hot blood, to avenge an insult offered, in ignorance it may be presumed, to one of the most powerful nobles in the land. According to Japanese law, when the procession of a man of high rank was passing it was customary for bystanders to show some mark of respect. Those who were privileged to ride would dismount, and those who stood would fall on their knees.[32] Every foreigner in Japan doubtless knew the danger involved in meeting and passing such a procession. Repeatedly the government warned the legations to advise their nationals not to use the Tokaido on certain days, and in fact a request of this nature was made for the 15th and 16th, when the imperial envoy was to pass from Yedo toward Kyoto.[33] Shimadzu Saburo was in charge of his

[32] Adams, I, 214; Hodgson, 283–285; De Fonblanque, 95–99; Black, I, 72, 143.

[33] Even after this event some British subjects protested against being debarred from the Tokaido on days when daimyos were passing (P.P. 1863, Com. 74, p. 104).

escort and he had started two days in advance. That Clarke and Marshall recognized the danger is plain from their evidence at the inquest, and Mr. Pruyn reported that "some time before the attack was made, Mr. Marshall exclaimed 'For God's sake, Richardson, do not let us have any trouble!' To which Mr. Richardson replied, 'Let me alone; I have lived in China fourteen years, and know how to manage this people.'"[34] Although both Marshall and Clarke denied that any provocation was given, yet the very fact that they were on horseback was an insult, and gave color to the charge that they attempted to force their way through the procession. Death alone could have wiped out such an insult from a Japanese of low class, and the retainers of this bitterly anti-foreign lord were not inclined to make an exception in the case of "barbarians." That a woman was attacked was due to sheer ignorance, for a woman was not expected to be on horseback.[35]

[34] For. Rel., 1863, II, 1064.

[35] "Shimadzu Idzumi had left Yedo on the 13th in advance of Ohara dono, and on arriving at Namamugi in Musashi, fell in with English barbarians riding on horseback. They passed through in front of Shimadzu's retinue, and behaved in a rude manner. The light infantry in front of the procession rebuked them for their rudeness, and killed three of them on the spot. After this, the military glory of the house of Shimadzu shone more and more brightly" (Japan, 1853–64, p. 59).

Kawakami Tajima, minister of the Prince of Satsuma, to Colonel Neale, August 13, 1863 (when the British expedition was at Kagoshima): "We have heard something about a

At this critical period of domestic politics, to have the leading imperial supporter become involved with the most determined of the foreigners and to be compelled to punish him, was a situation which seemed to spell disaster for the Shogunate. That they could not arrest an officer of so powerful a daimyo as Sat-

Treaty having been negotiated in which a certain limit was assigned to foreigners to move about in; but we have not heard of any stipulation by which they are authorized to impede the passage of a road.

"Supposing this happened in your country, travelling with a large number of retainers as we do here, would you not chastise (push out of the way and beat) any one thus disregarding and breaking the existing laws of the country? If this were neglected Princes could no longer travel. We repeat that we agree with you that the taking of human life is a very grave matter. On the other hand the insufficiency of the Yedo Government, who govern and direct everything, is shown by their neglecting to insert in the Treaty (with foreigners) the laws of the country (in respect to these matters) which have existed from ancient times. You will, therefore, be able to judge yourself whether the Yeddo Government (for not inserting these laws) or my master (for carrying them out) is to be blamed." Kawakami also stated, in this reply, that the murderers when detected should be punished by death, but said that they had escaped and were possibly being concealed by hostile daimyos (P.P. 1864, Com. 66 (3242), p. 95).

"Passing over several years to 1863, when, owing to a wilful lady, and an after-lunch expedition on horseback—we being entirely in the wrong and the Japanese in the right—we found ourselves involved in a war with one of the chief princes" (H. C. St. John, Notes and Sketches from the Wild Coasts of Nipon, 204). Captain St. John later took part in the bombardment of Kagoshima.

suma they frankly confessed. At best, they could only trust that he would heed the requests of the Shogun and his council. In the meantime they were prepared to build a new road for the use of daimyo processions, to erect more guard-houses on the old one, and to furnish guards for foreigners who desired to use it when daimyos were passing.[36] So, with sincere expressions of regret for the outrage, with eagerness to take every precaution to avoid another, but with no power to arrest and punish the actual participants in the crime then under discussion, the Shogunate officials waited for the presentation of such demands as Her Majesty's government might deem it desirable to make. In the meantime, in order to prepare for the civil or foreign war which might grow out of the present complications, they turned to their trusted adviser, the American minister, and asked him to arrange for the building in America of three steam ships of war, which would be a match for those purchased by some of the daimyos in Holland and England.[37]

[36] P.P. 1863, Com. 74, pp. 98, 102.

[37] October 21, 1862, request by ministers for foreign affairs. The cost was to be $860,000; of this $200,000 was paid down, and balance on specified dates until delivery. The needs of the American government for cannon delayed the completion of the first of these ships, and then it was detained in New York pending the outcome of the Shimonoseki affair in 1864. The *Fusiyama* finally was delivered to the Japanese at Yokohama on February 5, 1865 (For. Rel., 1866, II, 671–679; 37th Cong., 3d sess., S. Ex. Doc. No. 33, pp. 1–8).

It is again necessary to turn to the developments at Kyoto during the past few months. From week to week the waves of opposition against the Shogunate and its foreign policy were rising higher and higher. Some of the great daimyos of western Japan were coming out in open criticism of their ancient overlord, and threats were being made that they would dissolve their allegiance to the Shogun and transact affairs of state only with the Mikado. The most outspoken of these leaders, such as Shimadzu (Satsuma) and Mori (Choshiu), as we have seen, had taken up their residence at Kyoto, and other feudal lords on one pretext or another had failed to make their regular journey to Yedo. At the court the demand was often presented that the Shogunate bring to a close the temporary foreign intercourse, as it had seemingly agreed to do, but among the leading daimyos it was understood that to break off all foreign relations would be difficult.[38] Instead, they demanded that no additional liberties be granted and the present concessions be restricted. The leaders in this open criticism were lords of the west, long resentful of the Tokugawa régime, and now glad to make use of the foreign complication to bring it to account.

The result of all this agitation at the imperial capi-

[38] For a résumé of one of the documents put forward by the anti-foreign daimyos at this time see P.P. 1864, Com. 66, pp. 7–10.

tal, where the presence of daimyos and their retainers and the loyal ronins nerved the long hostile court nobles, was the sending of an imperial envoy to Yedo to make known the Mikado's will and to secure the promise of the Shogun to respect it.[39] The Kuge (court noble) Ohara Jiu-sammi was selected for this purpose. He was raised in rank and appointed Sayemon-no-Kami, and on June 16 he set out, escorted by Shimadzu Saburo and six hundred well armed retainers, arriving at the castle in Yedo on July 6. He carried with him a letter of instruction from the Kwambaku which summed up the evils of foreign intercourse and the discord which it had occasioned among the people, and insisted that Osaka and Yedo must not be opened, and that Kanagawa must be closed; but if the foreigners would not listen to reason then Shimoda might be offered in exchange.[40] The Shogun was told to permit them to hold a slight hope that Kanagawa might be reopened in the future, "for the Daimios say that Japan will be able to receive foreigners without blushing in six or seven years." Finally, "Our Envoy has received strict orders not to leave Yeddo until you have solemnly promised to do your utmost to replace our country in the position it occupied when the Ooranda (Dutch) were at Nagasaki." In addition three alternative demands

[39] Japan, 1853–64, p. 54.

[40] Summarized in P.P. 1864, Com. 66, p. 8.

were presented: First, "The Shogun must proceed to Kioto to take counsel with the nobles of the Court, and exert himself thoroughly; must send forth orders to the clans of the home provinces and seven circuits, and performing within a few days the exploit of expelling the barbarians, restore tranquillity to the empire;" or second, five of the great maritime daimyos should be appointed Tairo to assist in the government; or, third, Hitotsubashi Giobukio should be appointed guardian of the Shogun, and the ex-daimio of Echizen (Matsudaira Shungaku) be appointed Tairo to assist the Shogunate in the conduct of domestic and foreign affairs.[41]

The Shogun received the imperial commands with due respect, and on July 27 gave a formal answer that he accepted the first and third proposals, a proceeding which indicated the helplessness of his position quite as much as his respect for the Mikado's authority. Both of these resolutions had a serious import. Not since the year 1634, when the third Tokugawa Shogun, Iemitsu, entered Kyoto, had a Shogun gone up to pay his respects to the Mikado, and no Shogun of his house had ever done so in obedience to a command. It is not too much to say that this step marked the beginning of the end of the Tokugawa Shogunate. Conditions had greatly changed since the Tairo Ii

[41] Japan, 1853–64, p. 58; also Japan, 1853–69, p. 29; in this latter version no choice is mentioned.

had sent his minister to overawe the court and punish the recalcitrant kuge. By the placing of Hitotsubashi and Echizen in positions of chief authority the Yedo administration was entrusted to followers of the Mito school.[42] The former was, of course, the son of the late Lord of Mito, and the latter was Mito's strong supporter in his struggles with Lord Ii. Echizen, on the other hand, had from the first recognized the wisdom and the necessity of foreign intercourse.

The tide of imperial authority was now running high. Already, in May, a general amnesty had pardoned the court nobles and feudal lords who had been punished by Lord Ii in 1859, and they were released from their confinement.[43] Then, in July, the Emperor conferred posthumous honors on the late Lord of Mito and on the late kuge, Sanjo Naidaijin, both of whom had opposed Lord Ii and had died while in domiciliary confinement.[44] Shortly after, several of the court nobles who had supported the Shogunate policies were punished, including the retired Kuambaku, Kujo. This act was followed by a reorganization of the Yedo ministry and the retirement of

[42] It was soon after his appointment as guardian or regent that Hitotsubashi came to the conclusion that the power of the Shogunate should be restored to the Emperor, and after he became Shogun in 1867 he made the surrender (Okuma, I, 70).

[43] Japan, 1853–64, p. 52.

[44] Ibid., 55.

three of the pro-foreign members.[45] In Kyoto the ronins began their bloody work of murdering the retainers of pro-Shogunate nobles and those who supported the Yedo régime.

It was in the midst of these alarming conditions that the Richardson affair took place. The noble concerned was the leader of the western anti-Tokugawa lords, and his retinue was the guard that had accompanied Ohara, the imperial envoy, to Yedo. Such a complication at such a time was confusion worse confounded. Then another western lord, Tosa, came up to Kyoto and joined the clans of Satsuma and Choshiu, "in the repression of disorder," but really in threatening the power of the Tokugawa Shogunate. This was the beginning of the "Satcho-to" triumvirate.[46]

On October 17 a decision of great importance was taken by the Yedo authorities. It was no less than to relieve the daimyos and the hatamotos from the more burdensome features of the San-Kin Ko-tai system, "taking turns in official attendance at Yedo," which had been introduced in 1634 by the great Shogun Iemitsu.[47] Under this system most of the

[45] Kuze Yamato-no-Kami and Naito Kii-no-Kami were members of the Roju. Ando Tsushima-no-Kami had been removed from that office in May.

[46] Japan, 1853–69, p. 31.

[47] Japan, 1853–64, pp. 60–62; Gubbins, Progress of Japan, 139–143.

daimyos spent alternate years in Yedo, and the others spent alternate half-years, but all were required to leave their families there, as hostages, in the power of the Shogun. The new system cut down the residence in the case of the greatest lords to one hundred days every third year, and in the case of the lesser daimyos and hatamotos to two hundred days a year, and the frequent exchange of presents between the Shogun and the feudal lords was done away.[48] The old system was troublesome and costly, but it served to keep the lords under the control of the Yedo government, and the presence of these feudatories and their numerous retainers made the capital populous, rich, and splendid. The reason given for the change was in order that the daimyos might use for coast defences the money saved and devote the time to administering their fiefs.[49] Coming at this moment, however, it is probable that the measure was dictated by the Kyoto party, who saw in it, and justly, a means of weakening the Shogunate. And this was the immediate effect. The daimyos, relieved from attendance at Yedo, now flocked to Kyoto; all the large temples were occupied as their headquarters, and even those of neighboring villages were in demand. "Kioto had never been so crowded since the visit of

[48] The daimyos, however, wished all visits to cease. See memorial of daimyos in For. Rel., 1863, II, 1109.

[49] P.P. 1864, Com. 66, pp. 5–6.

Iyemitsu, third Shogun, in 1634."[50] When one of the western daimyos, on his way to take up his duties at Yedo, passed by Kyoto, as had always been the custom, the action was now taken as "a slight offered to the Court and therefore a crime." Orders were given, and some of the patriotic samurai overtook him and demanded an explanation. He obeyed the orders of the court, returned to Kyoto, and took up his residence there. This incident, as well as any, indicates the temper of the times. So while Kyoto was acquiring a new splendor, the Shogun's capital fell upon evil days.

As the Shogun had not kept his promise to appear at Kyoto, a second imperial mission was sent to Yedo, this time consisting of two court nobles, escorted by the Lord of Tosa. Leaving Kyoto on December 3, they reached Yedo safely, and on January 22 delivered the imperial message, to the effect that in the following spring the Shogun must go up to Kyoto, "and assuming the command and leadership of all the clans, wield in his hands the military prestige of the Empire, and accomplish the feat of driving out the barbarians without loss of time."[51] Shortly after this two of the western daimyos, those of Inshiu and Chikuzen, were sent by the court on a similar

[50] Japan, 1853–64, p. 67.
[51] Japan, 1853–64, p. 68.

mission.[52] That the Shogunate was facing a crisis was evident, even if no serious complication with Great Britain arose out of the two latest attacks on her nationals.

In order to allay, in some measure, the rising hostility of the court, the Shogunate turned against its own faithful servants and punished, with heavy hand, all who had taken any prominent part in the foreign relations of the past five years. The estate of Lord Ii was reduced from 350,000 to 240,000 koku. Among the others who were punished either by loss of revenue, forced retirement from the headship of their clan, or domiciliary imprisonment were the former ministers and high officials, Naito Kii-no-Kami, Manabe Shimosa-no-Kami, Sakai Wakasa-no-Kami, Hotta Bitchiu-no-Kami, Kuze Yamato-no-Kami, Ando Tsushima-no-Kami, Matsudaira Hoki-no-Kami, and Matsudaira Idzumi-no-Kami, while a number of lesser officials were dismissed from office.[53] Hotta Bitchiu-

[52] These anti-foreign edicts got into the hands of the ministers at Yedo in various ways. On February 16, 1863, Mr. Pruyn forwarded to Mr. Seward a translation of an edict from the Mikado to the Tycoon calling for the speedy expulsion of the barbarians. This may have been the message presented on January 22 (For. Rel., 1863, II, 1070). On June 20 he enclosed a similar imperial message, dated the twelfth month, January 20–February 18, 1863, calling either for the expulsion of the foreigners or their removal to Nagasaki or Hakodate. This may have been delivered by the daimyos of Inshiu and Chikuzen (ibid., 1112).

[53] Japan, 1853–64, pp. 69–71.

no-Kami, who had actually negotiated the Harris treaty, was pursued into his retirement, for after Lord Ii became Tairo he had resigned the headship of his clan. The Shogun also offered to descend one step in rank for his shortcomings, but the Mikado graciously would not permit this, and the Shogun promised to do better and "to obey faithfully his Majesty's will in all things."

These punishments met with the approval of the court party, and shortly afterwards eleven of the leading daimyos sent up a memorial which, after joining in approval of these acts, and stating that in relieving the daimyos from most of their visits to Yedo the Shogunate had not gone far enough, insisted that foreign affairs should be placed on the old basis, that the foreigners should be allowed to trade as a favor and not to enjoy the privilege as a right, and that the Shogun should go up to Kyoto as he had promised, there to consult with the Mikado.[54]

In February the regent, Hitotsubashi, went up to Kyoto, arriving there on March 1, accompanied by Ogasawara Dzusho-no-Kami, one of the Roju, and followed by Echizen-no-Kami, the Tairo.[55] The ronins there were eagerly demanding that a date for the expulsion of foreigners be fixed, and in their un-

[54] Text in For. Rel., 1863, II, 1109–1112; P.P. 1864, Com. 66, pp. 49–50.

[55] Japan, 1853–64, p. 72.

rest frequent murders of pro-foreign samurai occurred. In fact a few days after Hitotsubashi arrived the head of a murdered man was left at his temple residence, with a note to the effect that the regent's views on the expulsion of the barbarians were known to be of a temporizing nature.[56] In this respect the ronins were right, for Hitotsubashi, representative of the Mito clan, and apparently advocate of the anti-foreign views of old Lord Nariaki, had learned enough during his regency in Yedo to know that any attempt to carry out the demands of the court would mean a foreign war, and to know also what would be the effects upon Japan of such a war at that time. At first a critic of the Shogunate policy, it was now his duty to follow it himself, endeavoring to prevent any clash between the ignorant courtiers and the masterful foreigners, until more knowledge and better understanding might remove the grounds for friction, or until Japan should have acquired strength enough to hold her own against any foreign foe. To temporize —that was the policy of the Yedo government from the start.

In considering this period of unrest and agitation it must be borne in mind that the foreign representatives possessed only a very hazy idea of what was in progress. The Tycoon's government naturally failed to inform the ministers of the strength of the anti-

[56] Ibid., p. 73.

foreign movement. It is doubtful if any de facto government would have done so. It did, repeatedly, describe the general situation, the popular opposition to foreign intercourse, the hostility of the court and of some of the great lords, but it always expressed its confidence that in the course of time the opposition would pass away. Occasionally news reached the ministers or some of their nationals who were on friendly terms with the Japanese, and copies of the more important state papers generally came to light after some time.[57] On receiving one of these unofficial communications Mr. Pruyn and the other ministers would endeavor to have some Japanese official, either a minister or one of the governors for foreign affairs, vouch for its correctness. This they would frequently do, although unwilling to furnish an official copy directly. At an interview with the ministers on August 19, 1862, Colonel Neale complained of this unwillingness to furnish information. "Important political changes," he said, "such as the appointment of the Gotiro, the proposed visit of the Tycoon to the Mikado, the assembly of large bodies of armed men at Miako, or any other matters of general political interest, are not communicated."[58] To which the ministers replied that they did not consider these subjects were of interest to the foreign repre-

[57] For examples of these rumors see Alcock, II, 167–170.
[58] P.P. 1863, Com. 74, p. 55.

sentatives, but they promised to inform him in the future, and added: "We thought that the Governors of Foreign Affairs, whom we send to the foreign Ministers on matters of business, would have answered any questions which you put to them." But Colonel Neale pointed out that no information would be given by them, and "the Gorogio here smiled in acquiescence." In keeping their promise they notified the foreign representatives on November 2 that the Tycoon was about to proceed to Kyoto in March of the following year.[59] No reason for the unusual expedition was given, and the ministers had to conjecture what it could all be about.

One incident in these troubled times should be cited as a foretaste of better days. On the night of November 22 the American bark *Cheralie,* en route from Hakodate to Shanghai, struck a sand bank and became a total loss off the coast of Hitachi Province, about a hundred miles north of Yokohama. "The officers and crew were not only saved," wrote Mr. Pruyn, "but treated with humanity and kindness by the officers and people of the province. Nothing which could be done was left undone to display good will; even a flagstaff was erected by the Japanese at the temple appropriated for the use of the crew, from which to display our national flag."[60] Now this was the prov-

[59] P.P. 1864, Com. 66, p. 3.
[60] For. Rel., 1863, II, 1055.

ince of the Mito clan, supposedly bitterly hostile to foreigners. In Yokohama the usual rumors were current as to the hostility of the Japanese, and the French minister very kindly offered to send the French warship *Dupleix,* in the absence of any American vessel, to the place to inquire into the state of affairs and offer such protection as the Americans might need. But the Japanese government also offered the services of their warship, the *Choyo-Maru,* and Mr. Pruyn very wisely decided to accept its offer. Colonel Fisher, American consul at Kanagawa, went to the scene of the wreck in the Japanese vessel, and found that the Americans had been treated with "true kindness" by the Japanese people and officials. This incident made a deep impression upon him, and he reported: "I cannot but regard this act, as it most assuredly is, an unparalleled demonstration of the rapid advance this remarkable people and government are making towards a full emancipation from exclusiveness which is to place them speedily in the front rank of nations, if not to make it and them a Christian country and people—a nation soon to be counted as among the first and most enlightened of the earth."[61] Surely times had changed since shipwrecked mariners were placed in confinement and shipped in cages to Nagasaki for deportation in Dutch or Chinese ships.

The Japanese government appreciated Mr. Pruyn's

[61] For. Rel., 1863, II, 1059.

confidence in them in accepting their ship and not that of France. Our government, on receipt of the news of this gratifying exhibition of humanity, forwarded appropriate presents for the principal officers of the *Choyo-Maru* and of the province.[62]

It was just at this time that the first of the British demands for reparation was presented. This dealt with the murder of the two guardsmen at the British legation on the night of June 26. The Japanese authorities had conducted their examination into the crime, and in August had inflicted severe punishments on the Japanese guards who might in any way be considered guilty of dereliction or cowardice. The daimyo whose troops were on guard, Matsudaira Tamba-no-Kami, was reprimanded and placed under arrest. Two of the Tycoon's body-guard were sentenced to fifty days' and five to thirty days' confinement; one was reprimanded and two left to be punished by the daimyo, while two had died before punishment could be inflicted.[63] In other words, the Japanese considered that they had made ample reparation for the deed of a single assassin, although Colonel Neale, in order not to forestall the demands of his government, refused to express any opinion on this point.

Before he had learned of these measures, Lord

[62] Ibid., 1128.

[63] P.P. 1863, Com. 74, pp. 58–60.

Russell had forwarded to Colonel Neale his demand for reparation.[64] It was based on the assumption that the government was aware of the projected attack, that the daimyo had favored it, and that its purpose was to induce the British to abandon Yedo and "allow the ancient custom of non-intercourse and prohibition of trade to be reestablished." Neale was instructed to "show in every possible way that Her Majesty's Government will not be deterred from their course by these shameful murders. It would be better that the Tycoon's palace should be destroyed than that our rightful position by Treaty should be weakened or impaired." If the daimyo had betrayed his trust or had connived in the attack on the legation, he should be openly degraded and most severely punished. A compensation, in the sum of £10,000 gold, was to be demanded for the families of the marines, and this sum should be levied on the estate of the daimyo in charge of the guard.

It goes without saying that these demands were based on erroneous premises. No well informed man on the ground believed that either the government or the daimyo was in any way responsible for this crime, even though the guard might have been wanting in vigilance or courage. If cable communication had existed and Colonel Neale could have kept Lord Russell promptly informed of developments, it is doubtful

[64] Ibid., 49–51.

whether such demands would have been formulated. As it was, Colonel Neale could do nothing but present them, which he did at an interview with the Japanese ministers on December 4.[65] At this time the ministers, without discussing the amount of the indemnity, protested against the implication that their government was concerned in the attack on the legation, and when they asked Neale if he himself thought so he replied: "You have afforded me no substantial grounds for forming an opinion upon that subject." For the first time Colonel Neale described the punishments inflicted in August as "insufficient and unsatisfactory."

In an unusually long despatch the ministers, on December 20, replied to the British demands, taking up the incident with great detail, endeavoring to remove any suspicion from the government and from the daimyo, explaining that the punishments inflicted were burdensome, especially in the case of Tamba-no-Kami, and finally stating that "the law of our land does not allow us to grant the indemnity, and we therefore decline (to pay) it." They were willing to pay $3000 in silver to the relatives of the murdered men "for their maintenance."[66] Here the matter rested, in spite of no little correspondence, for several months.

[65] P.P. 1864, Com. 66, pp. 12–14.
[66] P.P. 1864, Com. 66, pp. 14–16.

The New Year dawned with another alarm of a ronin attack. Government warned the foreign settlement and did all it could to prevent a surprise, with complete success. Mr. Pruyn, who was in Yokohama at the time, returned to Yedo, as the Japanese advised, and thus again showed his willingness to cooperate with them for his own protection. The French and British ministers protested to the government against these alarms (can it be that they preferred to be surprised by the desperadoes?), but Mr. Pruyn considered them unworthy of any formal notice.[67]

The foreign community was now much alarmed by rumors, either that the Japanese were about to assume hostilities, or that the British were preparing to demand redress. It was said that British troops were on their way to Japan, and a large fleet was expected.[68] On January 16 one of the Japanese guards at the unfinished and unoccupied British legation in Yedo was killed by four ronins who sought to force an entrance.[69]

When news of the attack on the British legation on June 26 reached Washington, the conduct of Mr. Pruyn was scrutinized carefully to note whether he had failed in any way to cooperate with and sustain the British representative. His conduct was approved, and he was instructed to persevere in the same course

[67] For. Rel., 1863, II, 1062.
[68] Ibid., 1063.
[69] P.P. 1864, Com. 66, p. 20.

of proceedings in the future. Moreover he was to "especially inform the ministers for foreign affairs that, while the United States will hereafter, as heretofore, prove themselves a generous friend, yet that the safety of all representatives, citizens and subjects, of all the treaty powers, must and will be insisted upon, as an indispensable condition of the continuance of the relations between this country and Japan, which have been so happily established."[70] On receipt of a later despatch from Mr. Pruyn, Seward replied that the President earnestly hoped that the government of the Tycoon might "practice such diligence, in bringing all persons connected with the transaction to condign punishment, as will give assurance to the British government, and to the other treaty powers, that the rights and safety of foreigners in Japan will hereafter be inviolably protected."[71]

On receiving these despatches Mr. Pruyn, on January 27, 1863, addressed the ministers for foreign affairs and conveyed to them their more important passages. In addition he wrote: "It has afforded me sincere pleasure to be able to inform the President that the Japanese government is sincerely desirous of extending this protection, and of securing to the citizens and subjects of the treaty powers all the rights conferred upon them by treaty." Coming at a time when

[70] September 25, 1862. For. Rel., 1863, II, 1053–1054.
[71] September 29, 1862. Ibid., 1054.

another of the treaty powers had charged them with complicity in the murderous attack on the British legation, this kindly letter must have been well received. The closing advice of the American minister might well be quoted:

> The cultivation of this feeling of good will, and the faithful observance of their reciprocal obligations by Japan and all the powers with which treaties have been made, not in a narrow spirit, constantly asking how much can be withheld, but in an enlarged spirit of liberality, which shall ever ask how much can with propriety be done, will result in great advantage to Japan and the world. And I indulge the hope that the friendship which now animates all these governments will be greatly increased and be perpetual.[72]

When Mr. Pruyn reported the punishment inflicted by the government upon the daimyo and the guards at the British legation, Mr. Seward replied on January 31 that the President hoped "that the proceedings of the Japanese government, in this painful transaction, may be satisfactory to the British government."[73] In reply to a later despatch of Mr. Pruyn he sent this word of deserved approval:

> The President does not fail to observe that some of the agents of some others of the treaty powers pursue, in their intercourse with the Japanese, a course more energetic, if not more vigorous, than that which you have followed under the instructions of this department. He, nevertheless, approves your decision to persevere in your past course, which, so far

[72] For. Rel., 1863, II, 1065.

[73] Ibid., 1066.

at least, has attained all desired objects, while it seems to have inspired the Japanese authorities with sentiments of respect and friendship towards the United States.[74]

Before this despatch reached Yedo, however, Mr. Pruyn had, on his own motion, refused to follow his colleagues in their high-handed course, and this note must have comforted him in his isolation.[75]

On the very day that these moderate despatches were being framed in Washington, the American minister in Yedo again demonstrated his reasonable attitude. Two governors for foreign affairs waited upon him, as they had already done in the case of his colleagues, in Yokohama, and frankly said that the difficulties between the Shogun and the Mikado might lead to civil war, not between the two principals, but between the Shogunate and the great daimyos of Satsuma and of Choshiu, who had hitherto influenced the Mikado. The Tycoon had appointed his guardian, Hitotsubashi, as an ambassador to the Mikado, and the Tycoon himself would go up in March. Between them they would remove these prejudices from the mind of the Mikado and defeat the machinations of the hostile daimyos Much as they desired peace, yet civil war might take place, and in this event they asked "what would be the feeling and action of the United States."[76]

[74] January 31, 1863. For. Rel., 1863, II, 1065.
[75] See Chapter VIII.
[76] For. Rel., 1863, II, 1066–1069.

To this Pruyn replied

> that the government of the United States would, of course, be deeply interested in such a struggle, and that all the moral support it could render, and all material support which would be justified by international law, would doubtless be given; and that it was my opinion that, if called on by the government of the Tycoon for aid, all the treaty-powers would be justified in giving it, in self-defence, and would give it if, as was said, the object of the hostile daimios was to drive out foreigners.

The governors replied that "they supposed the United States and Russia would have this disposition, but feared England and France might act contrary."

The next matter to be discussed was the new site of the legations. After the first attack on the British legation, on July 5, 1861, Alcock had asked for and received a new site "on a commanding table-land, having a tolerably direct communication with the water."[77] This was at Goten-yama, an attractive piece of land to the west of the scattered temporary temple-legations, part of which had been used by the people as a pleasure resort. On this site the legations of all five of the treaty powers were to be erected. The grant of this site to the foreigners aroused no little opposition among the people, who would lose their park, and among the hostile daimyos, who pointed out that the elevated site commanded the five forts in the bay and the main road into the city.[78] One of the

[77] Alcock, II, 179.

[78] For. Rel., 1863, II, 1067.

reasons given for the assault on Lord Ando in 1862, and of his punishment the next year, was because he had granted this concession, and it was realized by the beginning of 1863 that the establishment of the legations there would result in difficulties. It was said to be a common remark among the people: "The British have our plum-garden, but the blossoms will be red."[79]

Under these circumstances the Japanese asked Pruyn if he and the other ministers would accept another site. The French minister was said to be willing, but the British chargé could not act until the return of the minister, Sir Rutherford Alcock. Pruyn at once consented to accept "any location equally convenient and pleasant," and addressed a letter to that effect to the ministers for foreign affairs, in which, after commenting on the popular opposition, he added: "I do not wish that the American flag shall ever be regarded as an emblem of hostility, either by the people or government of Japan, but only as an emblem of friendship and good will." The correctness of the government's views on this matter was demonstrated that very night, for at 2 a. m. (February 1) the unfinished British legation was destroyed by an incendiary fire.

In reporting this latest incident to Lord Russell, Colonel Neale said:

[79] Note the murder of a Japanese guard there on January 16.

The inference would seem to be that the Japanese Government has connived at the accomplishment of this act as the only effectual solution of the pressure brought to bear by the Mikado and his party upon the Tycoon. It is equally possible that the retainers and partizans of the hostile Daimios, intent on carrying out the desires of their Chiefs, may have accomplished a portion of the work allotted to them by the destruction of the residence at Goteng-yama, despite all the efforts of the Government to restrain them.[80]

The government, however, affirmed that the disaster was due to no dereliction of its guards;[81] and years afterwards it was learned that among the incendiaries were two men who became among the greatest of Japanese statesmen, Ito and Inouye, then young samurai of the bitterly hostile Choshiu clan.[82]

At the interview with the Japanese governors it was suggested that Mr. Pruyn would find it more pleasant to live in Yokohama and only occasionally visit Yedo on business, in which case the Japanese government would assume all the additional expenses. This proposal he declined, however, saying: "I had not come to Japan for my pleasure; that I had refused to leave Yedo when the other ministers did, because I had supposed I would serve my own country, and Japan also, by remaining; that when I could render such service better by departing than by remaining, I was willing to converse on the subject; but that such time had not

[80] P.P. 1864, Com. 66, p. 21.
[81] For. Rel., 1863, II, 1070.
[82] Michie, II, 62n; Japan, 1858–69, p. 33n; Rein, 349n.

arrived, and, in my judgment, was not likely to arrive." His assumption was doubtless correct, that the Japanese desired to be able to report to the Mikado, at the great meeting in Kyoto, that no foreigners resided in Yedo.

It was now evident to the foreign ministers that a crisis was impending. It was felt that the rule of the Shogun was being threatened by the Mikado, supported by some of the most powerful and wealthy daimyos of the Empire. The French minister and many other foreigners and Japanese believed that when the Tycoon went up to Kyoto he would be deposed. Mr. Pruyn believed that the Tycoon had "sufficient power to maintain his position, even against the Mikado."[83] Colonel Neale felt that although the Tycoon's government did not seek to break off relations with the treaty powers, it was showing signs of yielding to the pressure exerted by the opposition forces.[84] If it should be overthrown, a desperate effort might be made "by their less well-informed or reckless successors to accomplish the Mikado's imputed desire to expel or extirpate foreigners, especially from this settlement, so unpalatably contiguous to the capital." He therefore addressed Rear-Admiral Kuper, at Hongkong, and pointed out the advisability

[83] February 16, 1863. For. Rel., 1863, II, 1068.

[84] To Russell, February 10, 1863. P.P. 1864, Com. 66, pp. 24–25.

of a considerable naval demonstration in Japanese waters, not merely to insure the maintenance of treaty rights, but at the same time to "afford a powerful moral support to the Tycoon's Government in its well-disposed but wavering and timid policy in regard to foreign intercourse."[85]

On the receipt of this strong representation the admiral prepared to proceed to Japan with all the available strength of the British navy. But before his squadron sailed into the Bay of Yedo a new situation, bristling with difficulties, had developed.

[85] February 2, 1863. Ibid., 22.

CHAPTER VIII

Exclusion again Decreed

The event which so profoundly affected not only the foreign relations but the domestic affairs of Japan was the presentation of the British ultimatum demanding reparation for the attack on Mr. Richardson and his companions on September 14, 1862. Earl Russell's despatch was dated December 24, and was received by Colonel Neale about March 14, 1863. Earl Russell stated:

> In fixing the reparation to be required, Her Majesty's Government have had to consider the anomalous state of political rule in Japan. They find two parties who are responsible to the British Government: first, the Government of Yeddo, who, when British subjects are attacked and murdered on the high-road in full daylight, by persons who are known, nevertheless allow those persons to remain unpunished; secondly, the Daimio Prince of Satsuma, whose relation, Simadzoo Saboolo, permitted, if he did not actually order, his retainers to commit this horrible crime, and who do not punish it.

This was an extraordinary decision, as far as the canons of international law were concerned. The British government had treaty relations only with the government of Yedo, and from it alone should redress be demanded. But Colonel Neale was in-

structed to demand reparation from both parties. From the Japanese government he was to ask for:

1. An ample and formal apology for the offence of permitting a murderous attack on British subjects on a road open by Treaty to them.

2. The payment of £100,000 as a penalty on Japan for this offence.

From the Daimyo of Satsuma he was to demand:

1. The immediate trial and capital execution, in the presence of one or more of Her Majesty's naval officers, of the chief perpetrators of the murder of Mr. Richardson, and of the murderous assault upon the lady and gentlemen who accompanied him.

2. The payment of £25,000 to be distributed to the relations of the murdered man, and to those who escaped with their lives the swords of the assassins on that occasion.

The measures to be taken by Neale were also prescribed:

If the Japanese Government should refuse the redress you are thus instructed to demand, you will inform thereof the Admiral or Senior Naval Officer on the station, and you will call upon him to adopt such measures of reprisal or blockade, or of both, as he may judge best calculated to attain the end proposed.

You will at the same time communicate the substance of your instructions to the Envoys and Naval Commanders in Japan of other European Powers; and you will concert with the British Admiral, and the naval officers of those Powers, arrangements for the safety of foreigners during coercive operations.

If the Daimio Satsuma should not immediately agree to and carry into effect the terms demanded of him,

the admiral should either go himself or send a sufficient force to the territory of the prince, there to blockade the port or to shell the residence of the prince. Certain steamships which the prince had bought in Europe might be seized or held till redress was obtained.

During these operations, whether against the Government of Japan or the Prince of Satsuma, care must be taken by the Admiral to protect the ports where British persons and property may be in jeopardy.

The distinction between the Government and the Daimios is one that must be kept in view.

The Prince of Satsuma is said by one of the Japanese Ministers to be a powerful Daimio, who could not easily be coerced by the Japanese Government. He must not, nor must the other Daimios, escape on that account, the penalty of their misdeeds.[1]

Such was the reparation demanded by a great nation, than which, as Colonel Neale admonished Mr. Pruyn, none "more frankly, loyally, and assiduously watches over, and administers to, the interests of

[1] P.P. 1864, Com. 66, pp. 1–2. These demands were criticized in debates in House of Lords, July 10, and House of Commons, July 21, 1863 (Hansard's Parliamentary Debates, 3d series, vol. 172, pp. 502–536, 1186–1198). Lord Stanley said in the House of Commons, February 9, 1864: "If the murder of a British subject took place under anything like similar circumstances in a European country, you would insist on the punishment of the offender and demand compensation; but you would not demand a sum amounting altogether to about L. 150,000 and proceed in satisfaction to seize property of much greater value" (ibid., vol. 173, p. 361).

its subjects abroad and at home."[2] But once more the demands of Downing Street were drafted without consideration of what might happen to be the situation in the Far East.[3] We have seen that all the representatives were convinced that a crisis was threatening in the early part of 1863; that the Shogun was about to go up to Kyoto to fight for his place and power; and that Colonel Neale had requested naval support, not merely to defend treaty rights, but also to afford a strong moral support to the Shogun's government. Nothing could arouse more bitter anti-foreign feeling than the presentation of such humiliating demands; nothing could weaken the prestige of the Shogunate more than to humbly accept them; and nothing could rally more effectually the hostile daimyos of the west to the standard of hostility to the foreigners than the punitive measures directed against their fellow daimyo of Satsuma.

It is of interest to note Colonel Neale's views as to what would be adequate reparation, expressed in his despatch of March 2, forwarded before he had re-

[2] For. Rel., 1863, II, 1082.

[3] As Sir Rutherford Alcock was in England at this time it is very probable that his advice was sought by Lord Russell in framing these demands. As early as March 6, 1860, he had suggested an indemnity of from $20,000 to $50,000 for every foreigner slain (P.P. 1860, Com. 69 (2694), p. 8). Compare this demand with Mouravieff's action in 1859, and Harris's in 1861.

ceived the above instructions.[4] The result of various communications with the Japanese ministers concerning the outrage, he wrote,

> has led to the conviction that the Tycoon's Government is powerless to afford reparation, inasmuch as that reparation necessitates the arrest of the malefactors within the domain of the Prince of Satsuma, an attempt to effect which would, in all probability, hasten to a climax the gathering elements of civil war in this country. The urgent necessity for active measures on the part of the Tycoon's Government to constrain the Prince to deliver up the criminals is not as yet sufficiently apparent to the Mikado and nobles hostile to foreign intercourse. Extraneous pressure, coming from a powerful nation, would not only afford a ready reason to this Government for the adoption of such stringent measures as are possibly within its reach; but there are strong reasons to entertain the belief that the Tycoon and his Government would view with passive satisfaction Satsuma, Nagato, and Tosa (the three powerful Daimios who are hostile alike to the Tycoon's Dynasty and to foreign intercourse), made aware of the contingency of Her Majesty's Government exacting redress, if needs be, at the ports of their own seaboard possessions.

With these views, Colonel Neale must have been surprised, to say the least, when he received Earl Russell's despatch with its heavy demands upon the Shogun's government.

The ominous instructions were in Neale's hands by March 14, but he refrained from presenting them until Rear-Admiral Kuper and his squadron arrived.[5] On the 22d the admiral entered the bay in the *Euryalus,*

[4] P.P. 1864, Com. 66, pp. 34–35.
[5] P.P. 1864, Com. 66, p. 35.

flag-ship, accompanied by the *Rattler* and the *Racehorse*. The *Centaur* and the *Kestrel* were already in port, and the *Argus* soon arrived, while the *Pearl, Encounter, Coquette, Ringdove, Cormorant,* and all other available vessels on the China station were to follow. An imposing squadron was to give weight to the British demands.

While waiting for this force to gather, Neale advised Earl Russell of the steps he proposed to take in carrying out his instructions. These were to direct the hardest blows against Satsuma, rather than the Tycoon, so that "the scene of hostilities would be removed to a distance from the Tycoon's Court and capital, while the news which would percolate throughout the Empire that Satsuma had been humbled in his independent career, would afford, I have reason to believe, actual satisfaction to the Yeddo Government." He proposed, moreover, to do all that he could to secure redress in both cases without recourse to coercion, and he would point out to the Japanese "the essential difference between measures of reprisal should they be forced upon us for the purpose of awakening in them a knowledge of the serious necessity of affording redress, and a declaration of war, as declared between nations, founded upon great political differences." He would also point out that the penalty now imposed in thousands would expand into millions should Japan drift into open hostilities with

Great Britain. Finally—and this might lead one to believe that the chargé d'affaires was not wholeheartedly in sympathy with what he was about to do—he wrote:

> Impressed with the fact that the difference which we have at issue with the Japanese Government is restricted to a demand for reparation arising out of the occurrence of two isolated outrages which we have no proof were perpetrated with the knowledge or acquiescence of the Tycoon's Government; impressed, moreover, with the humble conviction that, apart from these lamentable occurrences and the first attack on the Legation, no hostile or defiant conduct has been exhibited towards us by the Japanese Government during the course of our relations with this country,—although, indeed, want of confidence and distrust has ever been perceptible,—I shall devote my best endeavours to avert a serious interruption of our commercial relations, which may fairly be said to be prosperous; keeping at the same time steadily in view the paramount duty with which I am charged, of carrying into effect, in letter and in spirit, the instructions with which I am furnished by your Lordship.

While Neale was waiting for the gathering of the squadron he was advised by the ministers for foreign affairs, on March 30, that the Tycoon had resolved to start for Kyoto on the next day.[6] To this Neale replied that he was about to present, in two or three days, certain demands for reparation, the peremptory and explicit nature of which would require "the most serious deliberation and prompt attention of the Tycoon's Government within a restricted period of

[6] P.P. 1864, Com. 66, p. 38.

time." The ministers, however, naturally refused to delay the departure of the Shogun. From their point of view, no doubt, it would have been to the last degree unwise for the Tycoon to put off his long promised visit to Kyoto, made in obedience to the imperial commands, in order to receive some new demand of one of the foreign powers. They did not say as much, but they did naïvely remark that they could not promise a speedy answer to Neale's demands as they did not know how important the matters might be.[7]

It was indeed unfortunate that the Shogun and two of the Roju[8] were about to leave the capital, but it should not be forgotten that the great event of the moment was the approaching conference between the Shogun and the Mikado at Kyoto. It was even more unfortunate that the most threatening of all foreign complications should come just at this critical time. It should also be noted that Colonel Neale delayed presenting the ultimatum for at least twenty-three days, in order to have the support of a powerful fleet.

It was on the 6th of April that Mr. Eusden, of the British legation, delivered the ultimatum to one of the Japanese governors for foreign affairs in Yedo. It was a long document, but phrased in the clearest

[7] P.P. 1864, Com. 66, p. 39.

[8] One was already in Kyoto with Hitotsubashi; two would remain in Yedo.

English.[9] In addition to the reparation demanded for the Richardson murder, which would not be "deviated from, modified or discussed," the indemnity of £10,000 for the two marines was now "peremptorily demanded." Twenty days were allowed for a categorical reply on the part of the Japanese government, and at the end of that time, if the answer were anything but a positive acceptance, the admiral would, within twenty-four hours, "proceed to enter upon such measures as may be necessary to secure the reparation demanded." It was suggested, and the point was repeated in a second letter, that a high officer accompany the British to Satsuma to advise that daimyo to comply with the demands.

The first reaction of this astounding ultimatum upon the two Japanese ministers for foreign affairs who were left in Yedo was anxiety to prevent the British from resorting to direct action against the Lord of Satsuma. "It is to be feared," they wrote, "whether the said undertaking may not originate an unexpected calamity, increase confusion tenfold and create discord amongst us; and it causes us great sorrow (to think) that this undertaking might injure (put aside) the law of our Empire and cause many irregularities. Therefore it is desirable that the said mission of men-of-war to (the domains of the Prince of) Satzuma should be given up." They requested

[9] P.P. 1864, Com. 66, pp. 40–44.

that the settlement of this point be left in their hands, and said, therefore, that they could not send an officer of high rank with the British man-of-war to Kagoshima.[10]

Colonel Neale had some appreciation of "the disturbed political condition" of the country, and was not ill disposed to defer the proposed expedition; in fact he wrote to Earl Russell that "circumstances may render its forced delivery inexpedient; as, for example, the prompt offer of the Tycoon's Government to satisfy the redress and reparation made upon its quasi independent vassal."[11] In other words the British chargé was ready to modify the strict letter of his instructions, which called for reparation from Satsuma as well as from the Tycoon. In this way the matter rested, the ministers assuring Neale that the Tycoon could not receive their message until the 12th or 13th, and he, in turn, leaving them in doubt as to his intentions concerning Satsuma.[12]

The attitude of the representatives of the other leading treaty powers toward these demands should now be noted. The French minister, M. de Bellecourt, and Captain Massot, of the corvette *Dupleix,* had received their instructions to act in perfect accord with the policy pursued by the British govern-

[10] April 8. Ibid., 45.
[11] April 14. Ibid., 40.
[12] Ibid., 45.

ment, and De Bellecourt so informed the Roju on April 21.[13] Colonel Neale counted upon this "moral, if not material, cooperation;" and when Admiral Jaurès arrived on the 26th, he unreservedly expressed the "entire sympathy" entertained by France with the justice of the British demands.[14]

The American minister, on the contrary, had received no instructions, and therefore had to act on his own responsibility and in the light of existing conditions. He had to bear in mind the friendly relations between his government and Japan, as well as his instructions to maintain harmonious relations with the treaty powers, and Seward's proposal, early in 1861, for a joint naval demonstration. His position was bound to be a difficult one. Officially neutral, his views concerning the justice of the British demands were very different from those of his colleague of France. In reporting the ultimatum to Mr. Seward he wrote:

> It is to be regretted that this demand should have reached here at this particular juncture. It is well known that the Tycoon has been summoned to Kioto by the Mikado; that all the great daimios will shortly assemble there, and that the Mikado has been influenced to regard the treaties with displeasure. At this meeting, and within a few days, the foreign policy of this government will probably be determined, and I fear that this demand of the British at this time will weaken the influence of the Tycoon and his supporters, and inflame

[13] For. Rel., 1863, II, 1090.

[14] P.P. 1864, Com. 66, p. 52.

the passions, and increase the influence, and add to the number of daimios opposed to foreign trade.[15]

Three weeks later he added:

I have felt from the outset that the course of the British government has been a most extraordinary one. No one can deny that the occurrence of September, however unfortunate, was purely accidental. It is conceded that under the same circumstances a Japanese would have been killed. It is likewise conceded that the nationality of none of the parties attacked was known. Indeed, the governor of Kanagawa despatched a messenger that evening to our consul, under the impression that one of the wounded men was an American. And yet I have strongly urged a compliance with the demand, though I view it with feelings I shall not permit myself to express.[16]

In urging compliance, therefore, Mr. Pruyn was not moved by the justice of the cause, but, frankly, by a desire to save the Japanese from having to pay a far larger demand later, based upon the expenses of the British fleet and the business losses of British merchants. If, however, the Japanese would not agree, he advised Mr. Seward that he would recommend to them to propose submitting the whole case for settlement to the President of the United States or the Emperor of Russia, or both, or even to the British government. He also informed him of the deplorable results which might follow should the British chargé insist that the demands be complied with

[15] April 10. For. Rel., 1863, II, 1071.
[16] May 3. Ibid., 1079.

"without modification or even discussion." "No country is so susceptible of defence as this. There are no roads for artillery. The whole country is intersected by ditches and canals and covered by rice fields. The people, or rather the two-sworded men, are as reckless of life as any people that ever existed, and no hostile force can hold any considerable portion of this empire without the sacrifice of thousands of lives and millions of money."

Mr. Pruyn promptly notified Colonel Fisher, the American consul at Kanagawa, of the serious aspect of affairs, and of the possibility that the Japanese might not be able to comply with the demands within twenty days because of the absence of the Tycoon and most of the ministers for foreign affairs, and recommended that citizens of the United States "pursue their business as usual, avoiding excitement, sacrifice of property, and all exposure to danger. Their position, until other wise determined by the action of the government of the United States, or by hostile acts of the Japanese government or people, which are not apprehended, must be that of entire neutrality." He also recommended that they form an organization so that they might act in concert. This step was not to indicate any separation of interests from those of the other treaty powers, but, as he pointed out, "thus far nothing has disturbed the peaceful relations between the government of the United States and that of

Japan, and it is to be hoped that nothing will change those relations."[17]

From the Japanese point of view it was of the utmost importance that the British demands be not discussed until after the close of the Tycoon's conference with the Mikado at Kyoto. But the Tycoon reached the capital only on the 21st, and the ultimatum would expire on the 26th. In this crisis the two ministers for foreign affairs in Yedo turned to the American minister for help.[18] They requested him to mediate for the grant of an extension of the time limit, and they said, "From the treaty such great friendship may be expected; and also, because we experienced your friendly feeling on more than one occasion." This, of course, referred to the second article of the treaty of 1858.

Mr. Pruyn advised the ministers to place the matter frankly before the British chargé, pointing out to him the necessity for having such an important matter settled by the Tycoon and his full Council, and also to ask the friendly interposition of the French minister. He then proceeded to Yokohama to consult with the British and French representatives. Colonel Neale was unwilling to grant the extension asked; but on receipt of the letter from the ministers in which it was stated that the Tycoon would be back in

[17] April 9. For. Rel., 1863, II, 1073.
[18] April 19. For. Rel., 1863, II, 1077.

Yedo within thirty days (by May 20), he agreed, on the 25th, to an extension of fifteen days from April 27; that is, until May 11.[19] This extension did not allow for the return of the Tycoon from Kyoto, nor was it Neale's intention to do so. It merely granted time for a new exchange of despatches between the ministers in Yedo and the Tycoon and his counsellors in Kyoto. It is interesting to note, in passing, that the ministers thanked Mr. Pruyn for his friendly interposition, and informed him that they attributed the successful result of their application entirely to his mediation;[20] but Colonel Neale took pains to inform them that the days of grace were granted in consequence of their appeal in writing to him, and indirectly to his colleague, the minister of France.[21] This statement would indicate that all was not well between the representatives of the English speaking peoples. Such was the case.

On the 16th of April a conference took place at the British legation in Yokohama which was attended by the British admiral, chargé, and military officer, the French naval captain, and the commander of the Netherlands naval force, for the purpose of

[19] Ibid., 1078. Note Neale's explanation to Russell, and his reply to the Japanese ministers, in P.P. 1864, Com. 66, pp. 52–53, 53–54. See the Sanke Owari's statement on the 26th (ibid., 79).

[20] For. Rel., 1863, II, 1077.

[21] P.P. 1864, Com. 66, p. 54.

considering the protection of that port.[22] It was their decision that "there was not a sufficient force at present in Japan to guarantee perfect security to the foreign community at Yokohama in the event of an attack in force by the Japanese," and the residents there were advised to adopt such measures as might be in their power for their security before the ultimatum expired on the 26th. Mr. Pruyn, who was, of course, in Yedo, was informed of this decision by Colonel Neale; and in reply, after expressing his regret that he was not notified of the meeting so that he could have explained his views more fully, he ventured to advocate a policy of moderation.[23] At the time of the delivery of the ultimatum he had received from Colonel Neale the impression that the British fleet was sufficient to protect the treaty ports; now it seemed that the combined forces of Britain, France, and Holland would not suffice. If the problem were one of unprovoked attack by the Japanese, he would have no observation to offer, for he did not consider that such an attack was at all likely to be made; but if it were concerned with the hostilities which might ensue from the measures resorted to by the British to enforce their present demands, he felt it his duty to point out the disastrous effects of allowing the Japanese to gain a temporary advantage which would

[22] For. Rel., 1863, II, 1080.
[23] For. Rel., 1863, II, 1081.

arouse the whole country and possibly destroy all the advantages which the treaty powers had gained. "It appears to me," he said, "the dictate of wisdom, that no coercive measures be resorted to by any power, unless ample means be at hand for the defence and protection of life and property at the settlement." It would be unwise, he considered, to establish such a precedent, for some one of the treaty powers, with a force wholly inadequate to protect the foreign residents, might hereafter attempt to do what Great Britain, with its powerful fleet, now proposed. The Japanese, he maintained, would not be able to discriminate between the various nations in case of hostilities, and therefore the United States and Great Britain, having the largest commerce and the largest interests at stake, were most concerned in the preservation of peaceful relations.[24]

This candid statement brought forth from Colonel Neale a spirited defence of the British policy, in which he stated that the views of Mr. Pruyn, "though doubtless applicable and just when regarded in the sole light in which you have presented them, namely, that of commercial interests . . . are wholly inapplicable when weighed in the balance against the offended dignity of a great nation." He then pro-

[24] Mr. Pruyn believed that the Japanese would have fought the British if they would not have been involved with other powers (Pruyn MSS., April 26, May 4, 1863).

ceeded to accuse American citizens of supplying arms and munitions to the Japanese at this critical juncture, and asserted, on the basis of current reports, that they were aiding the Japanese in making preparations for resistance, a report which, if it could be proved, he said, would ill accord with Mr. Seward's policy of joint action and a joint demonstration as proposed in 1861.[25]

To this Mr. Pruyn replied in a despatch of unusual length, conciliatory in tone, but also perfectly frank.[26] He had not attributed to Neale a desire to act with undue haste, because he understood perfectly that he was acting under explicit instructions, nor did he presume to express an unfavorable opinion as to the action of the British Cabinet. He was interested, however, not in commerce, but in the safety of American citizens, and on this account he was ready to renew the suggestion made in his former letter, that no measures of retaliation be taken before the powers were better prepared for defence. As to his own attitude, he had from the very day after the murder made every effort to arouse the Japanese government to the necessity of prompt and vigorous action and ample reparation. He had repeatedly advised that the present demands be met. His interpretation of Mr. Seward's proposal in 1861 was, however, different from that of his colleague.

[25] April 20. For. Rel., 1863, II, 1082.
[26] April 30. Ibid., 1085–1088.

> If I rightly understand Mr. Seward's proposition, he desired to establish the principle that the treaty powers, recognizing their identity of interest and their exposure to a common danger, should abstain from separate action and make common cause in maintaining common rights, and securing the common safety of their citizens and subjects. It was a wise suggestion, because it insured unity of action and moderation and equity of demand; it was humane likewise, because necessarily attended with peaceful results.

He brought out the difference between Seward's policy and the British program by citing the case of Mr. Heusken's murder, when "for the sake of a salutary precedent, a specific demand for redress was waived," and the sum of $10,000 was accepted for the support of the widowed mother. Finally the charge that American citizens were supplying the Japanese with arms was refuted, for such few sales as had been made were made openly and in time of peace.

It was at this juncture that Mr. Seward's despatch of December 13, 1862, dealing with the Richardson affair, arrived, and Pruyn read it to the governors for foreign affairs on May 1.[27] It expressed the hope that the Japanese authorities would bring the offenders to punishment and make reparation without delay, and added: "You cannot too strongly advise the government of Japan that it can only have friendship, or even peace with the United States, by protecting citizens and subjects of foreign powers from domestic violence."

[27] For. Rel., 1863, 1054, 1076.

The next development in this interesting situation could hardly have been anticipated. The time limit of the British ultimatum would expire on May 11, and if the demands were not complied with the British fleet would commence operations. The members of the Roju in Yedo had, on April 30, begged that the full extension of thirty days be granted. This request was the occasion of a conference between the British and French diplomatic and naval officers. On May 3 two of the governors for foreign affairs came down to Yokohama seeking an interview with the allies, which was granted on the 4th and 5th. On the night of the 3d the Japanese residents of Yokohama, alarmed at the approaching hostilities, began to leave the city and supplies ceased to come in.[28] This alarm and panic continued for several days, and on the 6th several foreigners, including three Americans, were badly handled by certain Japanese, who demanded sums of money due, or believed to be due, on contracts. Under these circumstances the representatives of England and France announced that they had offered their naval forces to the Tycoon for service against the hostile daimyos!

The reasons for this offer were summed up by Colonel Neale as follows:

[28] A circular of warning had been issued by the governor of Kanagawa.

1st, the avowal of the Tycoon's government itself of the opposition it encounters in its relations with foreigners, on the part of certain powerful daimios specifically named; 2d, upon the knowledge which has been conveyed to us of peremptory and arrogant written appeals addressed to the Tycoon and his counsel, by eleven of the most influential of those daimios, against all intercourse with foreigners, and the authenticity of which is not denied by the government envoy; and, finally, upon a correspondence between the Mikado and the Tycoon; wherein the former enjoins the immediate expulsion of foreigners.[29]

In order that this proffer of assistance might be placed before the Tycoon, an additional term was granted to the ultimatum, which would now expire on the 23d, but this extension was granted on the distinct condition that the authorities would stop the evacuation of Yokohama by the Japanese and would assure, further, the provisioning of the town.[30] If these conditions were not carried out, it would be considered an initiation of hostilities on the part of the Shogunate. It was implied that if the Tycoon refused this offer the allied fleet would resort to measures of coercion.

This decision was taken by the British and French representatives on May 5. De Bellecourt promptly

[29] For. Rel., 1863, II, 1092–1093. In 1864 the four treaty powers came to the support of the Shogunate in the Shimonoseki operations.

[30] P.P. 1864, Com. 66, p. 55. Mr. Pruyn was informed that the ultimatum would expire on the 21st (For. Rel., 1863, II, 1093).

advised Mr. Pruyn, and Colonel Neale wrote a letter on the 7th.[31] In reply to the former Mr. Pruyn stated that the propriety of giving support to the Tycoon by all the treaty powers had been recognized for almost a year, and would be quite in accord with Seward's proposal of 1861.[32] Moreover he had told the Japanese in February last that in the case of civil war the United States and all the powers would doubtless support the Tycoon if asked to do so. But should the Tycoon accept in the meanwhile the assistance of the fleets of Great Britain and France, he had no observation to offer, for he had not been invited to the allies' conferences nor his opinion asked in respect to the results of their deliberations. This offer to support the Tycoon, coming while the demand for an enormous indemnity was still pressing, might well have astounded the harassed Japanese officials.

Left in ignorance by his colleagues of what had taken place, Mr. Pruyn learned from the Japanese officials of the proceedings at the Yokohama conferences. He reported to Mr. Seward that "they had several times declined the offer of assistance to the Tycoon, fearing that the knowledge even that such a proposition had been made might disturb the peace of the empire; but that finally, as the ministers and admirals were not satisfied with their answer, the gov-

[31] Ibid., 1088–1090, 1092–1094.
[32] Ibid., 1091–1092.

ernment has reluctantly agreed to despatch an officer in whom they had entire confidence to the Tycoon" to make known this offer and return with his reply.[33] This governor left Yedo on the 8th and was expected back from Kyoto on the 23d. It was Mr. Pruyn's opinion that "unless a collision shall have taken place at Kioto, or the civil war, which I wrote you on the 16th of February last was feared, shall break out or appear imminent, I do not anticipate the offer will be accepted. I believe that if the alternative be distinctly presented, a foreign war will be accepted, if thereby a civil war may be averted, calamitous as it may prove."[34]

In this respect he was right, for when the term expired on the 23d the ministers declined the offer of assistance, and offered to pay the demand of £110,000 at some future day, "after the Tycoon has succeeded in quieting the troubles which prevail." To make the payment at this time would precipitate civil war.[35]

At this juncture, when war between Japan and England and France seemed imminent, Mr. Pruyn and the American colony were relieved to have the U. S. S. *Wyoming* enter the bay on May 11. On the morning of the 26th, however, the American minister suffered through a disaster which is all too common in

[33] For. Rel., 1863, II, 1094–1095.
[34] See Pruyn MSS., May 11, 1863.
[35] For. Rel., 1863, II, 1098.

Japan. This was the destruction of the legation in Yedo by fire,—not an unusual incident in a land where houses are built of light wood and paper, but smacking of incendiarism at this time of internal commotion. Mr. Pruyn was ready to "suspend judgment," reporting to Mr. Seward: "I desire to believe, for the sake of this government, as well as our own, that this fire was purely accidental. Still, for weeks, and even for months past, repeated attempts have been made to induce me to leave Yedo."[36] In spite of certain suspicious circumstances, the authorities who investigated the event always maintained that the fire was accidental, and the yaconins on guard, more than five hundred that night, did all that they could to save property and protect the residents.[37]

The next day Mr. Pruyn took up his abode in temporary quarters and remained there until the 31st. He had planned to go to Yokohama the next day, but that afternoon he was informed by one of the governors for foreign affairs that the government had learned of a conspiracy to attack the legation that very night, and although it would do all it could to arrest the conspirators, yet some might escape and trouble be made. It would relieve the government greatly if Mr. Pruyn would retire temporarily to Yokohama, and this he agreed to do.[38] Although he

[36] Ibid., 1097–1098.
[37] For. Rel., 1863, II, 1116.
[38] Ibid., 1100, 1117.

hoped to return early in July, it was actually two years before the American legation was again permanently established in Yedo.

It is now necessary to turn to Kyoto and follow the developments there during the great conference between the Mikado and the Tycoon. In the last chapter it was stated that the regent, Hitotsubashi, had preceded the Shogun, arriving in Kyoto on March 1, and finding there a state of great agitation and insistent demands in many quarters that the Mikado's decrees for the expulsion of the foreigners be carried out at a definite date. On April 8 a council was held at the palace attended by the regent and the Tairo, princes of the blood, kuge of high rank, and the leading daimyos in Kyoto, at which a new mandate for the expulsion of the foreigners was read. In this the Mikado expressed his belief that the date should be fixed, and that all who had ideas on the subject, "even low-class two-sworded men and people of the baser class," might present their opinions to the Gakushiu-in.[39] On this day and the next some of the leading kuge and greater daimyos appealed to the regent to fix the date, while Mori, of Choshiu, took the matter up with the Kwambaku. Hitotsubashi replied to all these demands that nothing should be done until the Tycoon arrived, when the date would certainly be fixed.

[39] Japan, 1853–64, pp. 80–81. The Gakushiu-in was the school for nobles in Kyoto.

But the agitation could not be quelled. On the 9th all Kyoto was talking of an astounding act of sacrilege. Some of the hostile samurai entered the temple of Tojiu-in, where wooden images of the Ashikaga Shoguns were preserved, cut off the heads of three of them, and pilloried them in the bed of the river in the heart of the city. This act was designed to call attention to the usurpation of the Mikado's power by the Shoguns. The Shogun's military governor in Kyoto, the Lord of Aidzu, caused his retainers to ferret out the perpetrators of this sacrilege, and some were killed and others thrown into prison. This caused Mori, of Choshiu, to come forward in defence of the ronins—and at the same time of the Mikado—but Aidzu would not relent. One result was that Mori became the idol of the ronins, and his influence among them and at the court was unbounded.

Word had now reached Kyoto of the British demands, and on April 15 the Shogun's representative at Kyoto (the Shoshidai) issued a notice to the thirty-six principal daimyos concerning the situation, and stating that "three demands have been preferred in satisfaction; but as none of them can be accorded, we intend to reject them entirely. As this refusal will probably cause immediate war, we request you to assemble around your sovereign (the Mikado) like a wall, and to make the necessary preparations for

war."[40] This notice must have rejoiced the hearts of the anti-foreign party, into whose hands the British were, in ignorance, apparently playing.

On the 21st of April the Shogun, accompanied by a noble retinue of counsellors, daimyos, hatamotos, eight or nine hundred soldiers, and two thousand servants, entered Kyoto. More than two hundred years had passed since the imperial capital had seen such a spectacle. On the 24th he paid a visit of ceremony to the palace to inquire after His Majesty's health and to present his gifts to the Mikado and the court, and, according to the precedent created by Iemitsu, he distributed a large sum of money among the townspeople. His advisers had hoped that he could hurriedly transact the business in hand and return to Yedo by the first of May, but this did not fit in with the plans of the court party, who desired to keep him in Kyoto until the plans for the expulsion of the foreigners had been formulated to their satisfaction. So on the 28th the Mikado and the Tycoon proceeded, in magnificent state, to visit the shrines at Upper and Lower Kamo, "as a preliminary."[41]

The result of the first conference between the Mikado and the Shogun was the acceptance by the latter of the imperial commands to expel the barbarians. This was to be done by peaceful negotiation if

[40] For. Rel., 1863, II, 1107.
[41] Japan, 1853–64, p. 84.

possible, but if not, then they were to be swept away, and it was suggested that, depending upon circumstances, the Mikado himself might conquer the foreigners.[42]

The news of this decision was promptly transmitted throughout the Empire, for on May 14 the governor of Hakodate, in distant Hokkaido, issued a proclamation to the inhabitants that "the treaty between European countries and Japan is finished. Henceforth Hakodadi and Nagasaki will be the only ports opened to foreigners. If the foreigners, however, persist in their claims, a war will break out." He also assured his people that there was not the least chance of war breaking out in Hakodate.[43]

The first decision, however, failed to fix a specific date for the expulsion, and thus, of course, could not satisfy the extremists. The Tycoon and his advisers, on their part, realized what was meant by the presence of the British and French fleets at Yokohama at this time and what would follow if relations with all the six treaty powers were abruptly terminated. Again they struggled to find some loophole. The opportunity to negotiate with the powers would enable them to temporize, and in time all might be well. With the

[42] May 6, notification to the o-metsukes, to be transmitted to the feudal lords and retainers; May 8, notification made to the daimios in the presence of the Gorogio (Roju) in Nijo Castle, Kyoto (For. Rel., 1863, II, 1113–1114).

[43] P.P. 1864, Com. 66, p. 64.

situation in Kyoto in mind it is easy to understand why the Tycoon refused to accept the offer of British and French aid. It would have meant a wide-waged civil war.

In order to nerve the Shogun to carry out the expulsion plan, it was arranged that on May 28 the Mikado and the Shogun, with their suites, would visit the shrine of Hachiman, god of war, at Otokoyama, where "the Mikado was to present to the Shogun in the presence of the God a sword of justice for the expulsion of the barbarians."[44] But the Shogun suddenly fell ill, and was unable to attend. Then the Mikado ordered that the Regent Hitotsubashi should receive the sword, but at the last minute he "suddenly fell sick" and went down from the shrine before the presentation.

In consequence of this the honest patriots were greatly incensed, and declared that the Bakufu officials did not sincerely intend to drive out the barbarians; that all of them, including Hitotsubashi, were deceiving the Imperial Court, and that the villany they thus displayed, and in constantly urging the Shogun to return to Yedo, was beyond the power of words to stigmatize. And they clamoured loudly that since this was so, the Mikado himself should proceed to conquer the barbarians in person, without waiting for the Bakufu.[45]

The patriots were right. The Shogunate officials did not sincerely intend to drive out the barbarians,

[44] Japan, 1853–64, p. 88.
[45] Japan, 1853–64, p. 90.

and yet in the threatening environment of Kyoto they felt the presence of a force majeure. A few days later, on June 5, another audience was held, and on that fateful day the date for the expulsion of the barbarians was fixed. The 25th of June was the day appointed by the Mikado, and the daimyos were notified to that effect and instructed to defend their coasts and, when invaders came, sweep them away.[46] Satsuma and many of the maritime daimyos had returned to their fiefs after the decision to expel the barbarians had been reached but before the date was fixed, and the news was swiftly forwarded to them.

Although forced to accept this alarming decision, the Shogunate officials realized the hopelessness of their position. The Tairo, Echizen-no-Kami, who had stoutly advocated foreign intercourse, begged leave to resign his office, and when the Mikado refused his request, he departed for his fief without imperial permission.[47] The Shogun again begged leave to return to Yedo, but this was refused, for the Lord of Mito had been appointed by the Mikado to proceed there in his stead and "expel totally the foreigners, and sweep them away as it were with a broom." His commis-

[46] Ibid., 87. Tycoon to Roju, June 6 (For. Rel., 1863, II, 1124). Notice to daimyos (ibid.). Notice by Governor of Yedo, June 9 (P.P. 1864, Com. 66, p. 68).

[47] June 6. Japan, 1853–64, p. 87. He notified his agent in Yokohama that the Mikado was under the influence of Satsuma and the anti-foreign daimyos (For. Rel., 1863, II, 1108).

sion from the Tycoon was far more moderate. He was told "to do what is right and proper, in order that the good name of Japan may not be lost."[48] The Shogun was permitted to visit his castle at Osaka and he was there when the day of expulsion arrived. Hitotsubashi had, in the meantime, returned to Yedo. And there the scene shifts. How was the expulsion edict to be carried out?

The situation at Yedo and at Yokohama was much as follows: The ultimatum covering the British demands and the Anglo-French offer of assistance expired on May 23. The officials in Yedo, knowing of the decision taken at Kyoto on the 6th to expel the foreigners, and doubtless under explicit instructions, refused the offer of assistance, and proposed to pay the indemnity at some later date. This refusal was the subject of several interviews between the British chargé and the Japanese governors. In the meantime the news of the decreed expulsion aroused the ronins to greater activity, and the Shogunate to increased efforts to protect the foreigners. It was a curious situation: an allied fleet menacing Yedo, and the Yedo authorities straining every nerve to prevent hostile operations on the part of impetuous Japanese. On May 31 the governor of Kanagawa summoned the consular corps to a conference, in which he stated the

[48] For. Rel., 1863, II, 1106. He reached Yedo about the end of May.

danger of attacks from ronin bands, and urged that the foreigners at Kanagawa move over to Yokohama for safety. This request applied only to the American consul and to missionaries. He then stated that the Yedo authorities would reinforce the daimyos' troops on guard at Yokohama by some of their own troops, commanded by officers of the rank of hatamoto, "gentlemen of birth and breeding, much superior to the daimios' officers," and that "any unnecessary threatening display of firearms would be felt by them as a special indignity."[49] It is interesting to note that this scrupulous endeavor to protect the foreigners, at this exciting period, was received with suspicion, the British consul writing: "Undoubtedly the Japanese Government is quite capable of creating a fictitious alarm, and under its cover compassing their darling object of controlling the movements or (it may be) getting rid of this community."

The protracted discussion concerning the payment of the indemnity was brought to a close with the pronouncement of a new ultimatum fixing ten days as the limit for compliance. The Japanese wished to extend the payment over a long term, from ten months to ten years, but Colonel Neale insisted that six weeks was the maximum time allowance. This declaration was accepted by the governors for foreign affairs on June 8 and approved by the three members of the

[49] P.P. 1864, Com. 66, pp. 64–66.

Roju on the 11th, and the formal agreement was signed on the 14th, calling for a first payment of $140,000 (Mex.) on June 18, and $50,000 weekly thereafter, the last payment being due on July 30.[50] It should be noted that this agreement was signed after word of the decision to expel foreigners on the 24th must have reached Yedo, and with the approval of the Lord of Mito, who had been sent up to "expel totally the foreigners, and sweep them away as it were with a broom."[51]

The news which had come up from Kyoto, of the decision to expel foreigners and the appointment of Mito for that purpose, caused Mr. Pruyn, for the first time, to feel the necessity for an American naval force in Japanese waters. His opinions on this question had undergone a great change. Just as the presence of Perry's formidable fleet had opened Japan, so, he felt, "it is both natural and undeniable that the same means must be relied on, for some time at least, to preserve to the world what has thus been gained."[52] It was in his opinion the presence of ships of the United States, France, and Holland, as well as of Great Britain, which doubtless caused the Japanese to

[50] P.P. 1864, Com. 66, pp. 67–69.

[51] On June 9 the governor of Yedo had warned the inhabitants that negotiations regarding the closing of the ports would soon be opened and war might result. He urged the preservation of order (ibid., 68).

[52] June 16. For. Rel., 1863, II, 1104–1106.

abandon or at least to suspend the expulsion decrees, and he recommended to Mr. Seward that the treaty powers combine to maintain a permanent fleet in Japan for some time. At that date he felt relieved because the promise to pay the indemnity seemed to mark a change in the policy of Mito, hitherto so hostile to foreigners. If his change in policy was approved by the Mikado and the hostile party, all would be well; but if the latter reestablished their influence over the Mikado or insisted that a more vigorous agent be appointed to carry out the "exterminating war," or if the fleet should be withdrawn, the foreigners might be overwhelmed.

When they agreed to pay the indemnities the Yedo officials took up the question of Satsuma, and, after explaining anew the difficulties of the situation, offered to pay the £25,000 demanded of that daimyo at once and to postpone the arrest and punishment of the murderers.[53] This offer Colonel Neale refused to consider, and while the negotiations proceeded, he was amazed to receive on the 17th, the day before the first payment of the indemnity was due, a statement to the effect that the money would not be paid the next day. An explanation was offered, on the 20th, to the effect that an order had been received from the Mikado not to pay the indemnity, and that this must be obeyed "in the first place, because it emanated from the

[53] P.P. 1864, Com. 66, p. 70.

Mikado, and secondly, because they feared an outburst of public indignation if not complied with; also, if not carried out, the Tycoon might have to pay for it with his life."[54]

Colonel Neale had now no alternative but to place the matter in the admiral's hands on the 20th, and to request him to adopt "prompt coercive measures of reprisal."[55] But on that day the French minister learned the real situation,—that the Yedo authorities had received orders from the Tycoon for the expulsion of the foreigners. Mr. Pruyn at once sent for the governors for foreign affairs, and when one appeared the next day, he asked why he had not been informed of this important decision. The answer was that although the orders had been received, the Yedo authorities proposed to disregard them.

[54] P.P. 1864, Com. 66, p. 71. At an interview between the governor of Kanagawa and the consular corps the former stated that the Tycoon had been willing to pay the indemnity and that he had so ordered before he left Yedo, but that he would lose his life if he paid now. The governor also twice affirmed that the Tycoon did not leave Yedo until after April 6, when the demand was presented. This was hardly possible. The foreign ministers were told that the Tycoon would leave on March 31. He arrived in Kyoto on April 21, which would hardly have been time enough for a state progress if he left after the 6th. The apparent contradiction was due either to faulty interpretation, which might always cause difficulty, or to the governor's speaking from memory. There was no apparent reason for deceiving the consuls on this point.

[55] P.P. 1864, Com. 66, p. 73; For. Rel., 1863, II, 1117.

They were not disposed to reflect the wishes and views of the Tycoon; that the Mikado had been prejudiced against the foreigners by bad men at Kioto, that he had given such orders; that the Tycoon was obliged to obey them, or he would lose his office and life; but that the ministers at Yedo knew that the orders could not be executed; they had neither ships-of-war nor arms to accomplish this; besides, the Tycoon had made the treaties and wished to observe them.

Near midnight on the 22d Mr. Pruyn was informed by the governor of Kanagawa that the British indemnity would be paid on the 24th, that Ogasawara Dzushu-no-Kami, the minister for foreign affairs, who had been at Kyoto during the first days of the great conference, would go up there again for the purpose of changing the hostile views of the Mikado, and that before leaving he desired to see all the foreign representatives at Yokohama.[56] The next day the governor informed the French minister, who in turn advised his colleagues, that the purpose of the interview was to notify them that orders had been received for their expulsion and to request them to leave. He replied that a communication of such importance should be reduced to writing, and in fact suggested a form, which was modified, however, by the Japanese. The French minister was given to understand that nothing would be done pending negotiations, which would have to cover a considerable period in order that the ministers might receive instructions from their governments. In

[56] For. Rel., 1863, II, 1118.

other words the Shogunate was going to consider the fixed date, June 25, to refer to the beginning of negotiations for the closing of the ports, rather than to the actual expulsion.

By five o'clock on the morning of the 24th the total indemnity of £110,000, or $440,000 (Mex.), was paid to the British chargé and hurriedly transferred to the warships in the harbor.[57] Later in the day the minister, Ogasawara, arrived on the Shogun's steam-yacht *Emperor,* and shortly afterwards the foreign ministers received a communication much as follows:

I have the honor to inform your excellency that I have received full powers to act on the subject herein stated.

I have received orders from his Majesty the Tycoon, now residing at Kioto, and who received orders from the Mikado to cause the opened ports to be closed and the foreigners (subjects) of the treaty powers to be removed, as our people will have no intercourse with them; hence negotiations on this subject will afterwards take place with your excellency.[58]

The three ministers sent immediate replies, for no time was available for a conference. Although they had been told that there was no intention of enforcing

[57] A satisfactory written apology as demanded by the ultimatum was sent by the Roju on July 3 (P.P. 1864, Com. 66, p. 80).

[58] For. Rel., 1863, II, 1120. Three other translations in P.P. 1864, Com. 66, p. 74. Mito reported to the Mikado that the Richardson affair and the closing of the ports should not be confused. That the indemnity should be paid and then negotiations on the other point commenced, see Japan, 1853–64, p. 92.

the orders, yet they felt that their replies should deal with the written notice and not with the verbal explanations. In each case, therefore, a strong reply, refusing to abandon the treaties, was returned. Mr. Pruyn stated: "A solemn treaty has been made by the government of Japan with the United States granting to its citizens the liberty to reside and trade at these ports. The right thus acquired will not be surrendered, and cannot be withdrawn. Even to propose such a measure is an insult to my country, and equivalent to a declaration of war." He warned the government of the folly of attempting to carry out such a course, announced that life and property of American citizens would be defended to the last extremity, and declared that the government would be held responsible for any consequences and liable for any losses which might result.[59]

The French minister asserted that the proposal was without precedent in the history of civilized nations and might bring some chastisement upon those who conceived it; in the meantime he entrusted the safety of his nationals to the French admiral, who would take all necessary measures by land or by sea against any one violating the spirit of the treaty.[60] Colonel Neale also considered the indiscreet communication "unparalleled in the history of all nations, civilized or un-

[59] For. Rel., 1863, II, 1121.
[60] Ibid., 1123.

civilized," and, in fact, "a declaration of war by Japan against the whole of the treaty powers, and the consequences of which, if not at once arrested, it will have speedily to expiate by the severest and most merited chastisement."[61]

The foreign ministers, therefore, would not even discuss the right of the Japanese to denounce the treaties. As a practical proposition their attitude was eminently sound. It would have been unfortunate for Japan, and for the world, if the treaty powers had consented to withdraw from Japan and permit that country to retire into her old seclusion, even though for only a few years. In spite of temporary disadvantages, some of which persisted for more than thirty years, it was well for Japan to solve the problem of how to take her place in the great family of nations. It would have been far more unfortunate if expulsion by force had been attempted, with its resulting war and its legacy of debt and sorrow and hate. But as a matter of equity, the right was not all on the side of the treaty powers. If the choice lay between denunciation of the treaties and civil war, who would deny the right of the Japanese to rid themselves of such calamitous engagements? Also, if the treaties had been ratified by the de facto but not the de jure power, could their sanctity be unqualifiedly asserted? These are moot points, and there is much to be said

[61] Ibid., 1124.

on both sides. Finally, it must be remembered that when Perry opened the doors of Japan, the message which he bore contained this suggestion, which made a deep impression at the time:

> If your imperial majesty is not satisfied that it would be safe to abrogate the ancient laws which forbid foreign trade, they might be suspended for five or ten years, so as to try the experiment. If it does not prove as beneficial as was hoped, the ancient laws can be restored. The United States often limit their treaties with foreign States to a few years, and then renew them or not, as they please.[62]

If ever a nation is justified in denouncing its treaty obligations, surely the Japanese were justified in doing so in June of 1863.

Happily the question was not going to be pressed at the time. Ogasawara was on his way to Kyoto to convince the Mikado of the futility of his commands. Hitotsubashi, the regent, reported from Yedo that the imperial mandate could not be enforced, and, realizing his guilt in not carrying out the duty of expelling the barbarians, he humbly awaited his punishment and begged to be allowed to resign his present office.[63] The imperial court seethed with indignation at the "cowardly and temporizing action" of the Yedo offi-

[62] Hawks, I, 257. This provision was not incorporated in any treaty. The Japanese referred to it in an interview with Colonel Neale as late as January 4, 1864 (P.P. 1865, Com. 57, p. 5).

[63] Japan, 1853–64, p. 93. He reached Yedo on June 24 (Heco, I, 326).

cials, but it refused to allow the Shogun to return to Yedo in spite of the pleas of his advisers that only through his presence could the result be achieved.

In the midst of this period of uncertainty and confusion the American minister made the one positive contribution toward a happy solution of the problems at hand. On the 27th of June Mr. Pruyn forwarded to Mr. Seward a despatch of weightiest import.[64] His proposal was none other than to advocate a joint naval demonstration, as suggested by Mr. Seward in 1861, designed not for the protection of the treaty ports, but for securing the ratification of the treaties by the Mikado. Until that was obtained, he said, the public mind of the country will not be quieted, "the position of foreigners must continue precarious, and their presence occasion intrigues, and perhaps civil war, because not sanctioned by the rightful sovereign, which the Mikado doubtless is, theoretically and practically, should the daimios gather around him." He pointed out how this was to be accomplished, by making a naval demonstration at Osaka, twenty miles from Kyoto, backed, if necessary, by a land force to move on Kyoto. This was a statesmanlike proposition, if the powers intended to insist upon the maintenance of the existing treaties, and, to the best of our knowledge, Mr. Pruyn was the first diplomat to adequately realize the importance of such a step. He not only pointed

[64] For. Rel., 1863, II, 1125.

out what should be done, but he showed exactly how it might be, and later was, accomplished.

To arrange such a demonstration would require reference to the home governments, and, even if they approved, the plan could not be carried out for many months. Before the proposal was framed, however, an event occurred in far western Japan which was to have wide-reaching effects.

CHAPTER IX

Choshiu Takes the Offensive

The alarming news which reached Yokohama on the 11th of July was none other than that one of the great daimyos, Choshiu, the leader of the anti-foreign faction, had taken literally the Mikado's order for the expulsion of the foreigners, which set the date for June 25, and had fired on the first foreign vessel which tried to pass through the Straits of Shimonoseki.[1] This vessel was the little American steamer *Pembroke,* which was en route from Yokohama to Shanghai, and the attack was delivered by two armed vessels at 1 a. m. on the morning of June 26, while she lay at anchor near the entrance to the straits. Happily no lives were lost and little damage was done, but the American flag had been fired upon by a foe which carried the national flag of Japan.[2]

Mr. Pruyn learned of this attack on the evening of the 11th, first from a governor for foreign affairs, despatched from Yedo, and a little later from a letter written by the owners at Shanghai, covering an affi-

[1] For. Rel., 1863, II, 1129–1137.

[2] One of the vessels carried the government flag, the red sun on a white field, whereas when the *Medusa* was attacked later the Choshiu flag of blue and white was used.

davit and a request for $10,000 damages.[3] Early the next day he sent for the governor and learned that the vessels belonged, not to the Shogun, but to the Lord of Choshiu, and that they carried the government flag in disobedience to orders. Mr. Pruyn pointed out the serious nature of the insult to the American flag, assured the governor that ample satisfaction would be demanded, and said that he would expect to receive some statement from the Japanese government concerning this serious offence. The governor was unwilling to approve an American punitive expedition, and begged that Mr. Pruyn do nothing until the Yedo authorities should act.[4]

At this time there happened to be in the harbor of Yokohama the American steam war vessel, *Wyoming*. Commander McDougal had been present at the interview between Mr. Pruyn and the governor, and he had decided that the proper course was to proceed to Shimonoseki and seize or destroy the two offending vessels. In this decision he had the cordial support of the American minister, for the following reasons: If the outrage were not promptly punished the inaction would be attributed either to fear or to weakness, and great encouragement would be given to the hostile daimyos; on the other hand, the Shogun's

[3] The damages were for loss of time, loss of freight and passengers through not being able to visit Nagasaki, and recompense for the deadly peril to which the crew were subjected.

[4] Heco, I, 335.

government would no doubt welcome any punishment meted out to the leader of the anti-Tycoon and anti-foreign forces which would, in effect, aid it in its attempt to curb the opposing faction; and finally it was especially important, in view of the Civil War at home, that the United States should be ready to protect its nationals, lest it be deemed too weak to do so. It was felt that Choshiu was carrying out, in good faith, the expulsion edicts, and was using the national flag to cover his proceedings. "His acts, if justified by the government, constituted war; if disavowed, were acts of piracy."[5]

With minister and commander in such accord and ready to assume the responsibility, there was immediate action. The *Wyoming* sailed the next day, the 13th, for the purpose of capturing the two vessels and delivering them to the Shogunate,[6] but without the slightest idea that Choshiu would fire upon an American ship of war.[7] But that aggressive daimyo evidently meant business, as the news which reached Yokohama indicated. On July 8 the little French steam gunboat *Kienchang* was fired upon by the ships and by the batteries on shore, and on the 11th the Netherlands steam sloop *Medusa* was attacked and replied vigorously. News of these attacks reached Yoko-

[5] Pruyn to Seward, July 24, 1863 (For. Rel., 1863, II, 1131).
[6] Ibid., 1139.
[7] Heco, I, 338. Heco accompanied Commander McDougal as interpreter.

hama on the 15th and 16th. In the meantime the *Wyoming* had reached the straits on the 16th, and had been fired on by six of the shore batteries. By good seamanship the vessel was kept close in to the batteries, and most of their shells passed over her deck. Commander McDougal steered between the bark and the brig on the one side and the steamer on the other, receiving from and delivering broadsides into each ship, and succeeded in sinking the steamer and the brig.[8] This punishment effected, he returned to Yokohama, having lost four seamen killed and seven wounded (one of whom died later). The first blow in defence of treaty rights had been struck by the United States.

When the news of the attack on the *Kienchang* reached Yokohama, Admiral Jaurès sailed on the 16th, with two vessels, for Shimonoseki. Arriving there on the 20th, he landed a small force and destroyed

[8] The steamer *Lancefield,* renamed *Koshin Maru,* had been purchased from the British firm of Jardine, Matheson and Company for $115,000; the brig *Lanrick,* formerly in the opium trade, from the same firm for $20,000; and the bark had been built in Japan (For. Rel., 1863, II, 1133). These values are stated differently; see P. P. 1864, Com. 66, p. 87, and 41st Cong., 2d sess., S. Rept. No. 250. The *Lancefield* was later repaired and was sold to an American firm in 1865 (40th Cong., 2d sess., S. Mis. Doc. No. 52). The officers and men of the *Wyoming* were allowed prize money for the destruction of "hostile vessels in the Straits of Shimonoseki." See Appendix.

one of the batteries, burned a small village and caused other destruction.[9] Six of the seven batteries were left intact. Happily the Kokura clan, on the south side of the straits, took no part in these engagements, or the foreign ships would have suffered greater loss; but for this neutrality the clan was sharply censured by the Mikado. In spite of these acts of reprisal by the American and French ships of war, the Straits of Shimonoseki remained closed, nor were they forced open for more than a year.

The position of Choshiu was therefore clear. Acting upon his own interpretation of the imperial order he had struck the first blows against the foreigners, blows which, in his opinion, were bound to involve the hated Shogunate in difficulties. But what would be the attitude of the Yedo authorities, and what fur-

[9] Mr. Pruyn wrote to Commander McDougal on the 15th, begging him to cooperate with Admiral Jaurès in the destruction of the batteries (41st Cong., 2d sess., S. Rept. No. 250). This letter, apparently sent down with the French expedition, did not reach McDougal. Its purpose was to inform him that batteries as well as the two ships had fired on the *Kienchang*, and that even if the ships had escaped he should not return "without vindicating our flag and taking full satisfaction for the outrages upon it." On the 20th Admiral Kuper sent a vessel to communicate with Admiral Jaurès and cooperate with him if needed (P.P. 1864, Com. 66, p. 84). It was expected that she would be fired upon and thus all four of the leading treaty powers would be involved. But she was informed that she would not be fired upon unless she fired first,—a hopeful sign (Pruyn MSS., August 3, 1863).

ther steps would the aggrieved powers take? These were questions of immediate interest.

From the point of view of the Shogunate this blow, aimed more at it than at the foreigners, came at a most unfortunate period. The anti-foreign party was in the saddle at Kyoto, and the Shogun was still detained there, almost as a hostage for the carrying out of the expulsion edicts. The British indemnity crisis had just been passed and the indemnity paid, while the Satsuma phase of that complication still loomed threateningly. And the treaty powers had flatly refused even to negotiate regarding the closing of the open ports. At such a time the opening of hostilities by Choshiu upon the flags of the United States, France, and Holland might easily incite the other hostile daimyos and precipitate the general war which the Shogunate had so long tried to avoid. The governors for foreign affairs had promptly disavowed the actions of Choshiu, and had promised that the government would investigate the circumstances; but on July 23 Sakai Hida-no-Kami, a vice-minister, while repeating these statements, also said that if it were found that Choshiu acted under orders of the Mikado, "the Tycoon would be compelled 'exteriorly' to approve his conduct, but that 'interiorly,' of course, he would disapprove, and continue the friend of the foreigners."[10] In other words,

[10] For. Rel., 1863, II, 1134.

although no known edict could justify the conduct of Choshiu, yet the Yedo authorities did not know what secret orders might have issued from the hostile court of Kyoto, and, just as in the matter of closing the ports, the Shogun might have to endorse openly a course which he really disapproved.

On July 25 the representatives of France, the United States, Great Britain, and the Netherlands signed a memorandum to the effect that it was necessary, for the maintenance of treaty rights, to proceed immediately to the reopening of the inland sea, and therefore expedient to request the naval officers to take all necessary measures.[11] It was agreed also to establish a combined action of the naval and military forces available, and to notify the Tycoon's government of this decision, in order that it might take the requisite measures with its own means, and thus render it unnecessary for the agents of the treaty powers to proceed with the operations. This memorandum, marking the commencement of joint action instead of Anglo-French cooperation, was forwarded by each of the representatives to the Japanese ministers for foreign affairs, with a covering letter calling for the immediate chastisement of Choshiu.[12] Mr. Pruyn even intimated that the treaty powers might have to pass by the government of the Tycoon

[11] Ibid., 1144.

[12] P.P. 1864, Com. 66, p. 89.

and address themselves directly to the Mikado, and "by such arguments and means as they have in their power, cause him to give indemnity for the past and security for the future."[13] Immediate action, either by the Shogunate or by the powers, was not, however, forthcoming.

The events at Shimonoseki had served to delay, but not to prevent, the presentation of the British demands upon Satsuma for the murder of Richardson. On July 15 Colonel Neale had requested Admiral Kuper to order a portion of the squadron to proceed to Kagoshima.[14] So quiet were affairs at Yokohama, in spite of the open warfare at Shimonoseki, that the admiral proposed to take almost all his squadron to Satsuma, leaving only three vessels behind. On August 3 Neale notified the Roju that within three days he would leave for Kagoshima, and suggested that a high official be sent with the squadron. The Roju at once replied begging that the expedition be delayed; but the next day a vice-minister informed Neale that an official would be sent in one of the Tycoon's steamers. The vessel failed, however, to arrive in time.[15]

The British squadron, consisting of seven vessels,

[13] For. Rel., 1863, II, 1146.

[14] P.P. 1864, Com. 66, p. 82.

[15] An officer was sent in the Tycoon's steamer *Emperor,* but was delayed and arrived after the attack (P.P. 1865, Com. 57, p. 68).

left Yokohama on August 6, and entered the Bay of Kagoshima on the evening of the 11th.[16] The next day Colonel Neale delivered his letter for the daimyo, which had been written on April 9.[17] This called for the immediate acceptance of the demands:

> First. The immediate trial and execution, in the presence of one or more of Her Majesty's naval officers, of the chief perpetrators of the murder of Mr. Richardson, and of the murderous assault upon the lady and gentleman who accompanied him. Second. The payment of £25,000 sterling, to be distributed to the relations of the murdered man, and to those who escaped with their lives the swords of the assassins on that occasion.

At no time would Colonel Neale or the admiral land in order to discuss the demands, and the invitation of the Japanese that they do so was looked upon as treachery. Finally, on the 14th a written reply was delivered on board the flag-ship.[18] This letter, signed by the minister of the lord, while deprecating the murder and asserting that the assassins had escaped, promised that if the accused were taken and found guilty they would be executed and British officers would be invited to be present. But the fault lay with the Shogunate, it insisted, in failing to insert in the treaties the ancient laws of the land.[19] This question should be decided

[16] P.P. 1864, Com. 66, pp. 90–92.

[17] Satsuma had been notified of the demands long since by the Yedo authorities.

[18] P.P. 1864, Com. 66, p. 95.

[19] See Chapter VII, note 35.

between the Shogunate and Satsuma, and then the money indemnity could be arranged. The letter closed with the affirmation that "our government acts in everything according to the orders of the Yeddo Government."

This reply was considered to be utterly unsatisfactory, and the admiral was called upon to resort to such preliminary measures of coercion as might bring the daimyo to terms. He at once followed out the suggestion in Earl Russell's despatch of December 24, 1862, and seized three small steamers belonging to the daimyo, which had been purchased for $300,000 (Mex.), with the intention of holding them until Satsuma complied with the demands. The immediate effect was what might have been expected. Scarcely had the three steamers been lashed alongside three of the British ships when the batteries opened fire upon the squadron, "an act which," Admiral Kuper reported, "it became necessary immediately to resent, in vindication of the honour of the flag, and as a punishment for the outrage."[20] The squadron then engaged the batteries, having first set fire to the captured ships. A storm was brewing, which rose to a typhoon during the night, so that the fires started by the shells swept over the town and destroyed half of it, as well as an arsenal, a gun foundry, and five large Loo-Choo junks. The next day the action was re-

[20] P.P. 1864, Com. 66, p. 97.

newed; a temple, mistaken for the palace of the daimyo,[21] was shelled, and the entire town was believed to be in ruins. As "every act of retribution and punishment within the scope of operations of a small naval force" had been accomplished, the squadron returned to Yokohama, having lost fifty-six officers and men killed or wounded.[22]

It is interesting to note that Colonel Neale considered that he had now carried out "in letter and in spirit" the onerous instructions of last September concerning the Richardson affair.[23] The damage wrought at Kagoshima, in his opinion, covered the demands made upon Satsuma. On his return to Yokohama, however, he advised the ministers for foreign affairs that Satsuma had stated that it could do nothing toward complying with the demands until it had received orders from the Tycoon's government, and he requested them to take the necessary steps lest he be

[21] Adams, I, 327.

[22] The Japanese historian (Japan, 1853–64, p. 105), after describing this action, states: "The land and sea strove together like a couple of bulls, until the robber vessels, unable to endure it any longer, were entirely defeated, and fled in disorder to the ocean. When these affairs were reported to the Imperial Court, letters of approval were sent to the clans of Satsuma and Choshiu." Captain St. John, who was present at the action, wrote: "The result of our attack on Kagoshima was to induce the Prince of Satsuma to grant our demands. He evidently was not aware how he had really driven us off" (206).

[23] August 26. P.P. 1864, Com. 66, p. 92.

compelled "to engage the Admiral again to proceed with his fleet to the territory of Satsuma, and continue, much against our desire, the hostilities which have momentarily been suspended in order that the Tycoon's Government should again have the opportunity of satisfactorily terminated [sic] this matter."[24] Here the dispute rested for more than two months, with occasional queries from Colonel Neale. Early in November two envoys arrived in Yokohama from Satsuma. After three days of discussion they agreed on the 16th to pay the indemnity of £25,000 and to give a written engagement to continue the search for the assassins and to punish them when discovered.[25] After some delay the money, in the shape of $100,000 (Mex.), was duly paid on December 11, the written promise was delivered, and Colonel Neale agreed to use his good offices toward the purchase by Satsuma of a ship of war in England.[26]

The "Kagoshima affair" is considered by all historians to be the cause of the sudden change of front of Satsuma, from leadership in the anti-foreign faction to an appreciation of the strength of the foreigners and the futility of trying to expel them. There can be no doubt that the men at Kagoshima learned a remarkable lesson, and it is to their credit that they did not need

[24] September 24. Ibid., 110.
[25] Ibid., 116.
[26] P.P. 1864, Com. 66 (3303), pp. 1–7.

to have it repeated. But Satsuma had not been rabidly anti-foreign. The presence of steamships, shipyards, foundries, modern fortifications, are proof of that. Although at this time, for other reasons, there was a brief conciliation between Satsuma and the Shogunate, it soon came to an end, and this haughty western clan realized that it could oppose the Shogunate with other and better weapons than unreasoned hostility to foreigners.[27]

In order to follow through the Kagoshima affair, events as late as December, 1863, have been discussed. It will now be of service to turn back and endeavor to follow the developments at Kyoto, which was, when last under consideration, the center of a determined anti-foreign agitation. The date for the expulsion had been fixed for June 25, and the Shogun was detained

[27] The action at Kagoshima was the subject of an extended debate in the House of Commons on February 9, 1864, resulting in the defeat of a resolution expressing regret for the burning of the town contrary to the usages of war among civilized nations (Hansard, 3d ser., vol. 173, pp. 335–422). Regret was expressed in the Royal Speech at the opening of Parliament, on February 4, 1864 (ibid., 4). It is interesting to note that after these criticisms Colonel Neale, who had reported the damage as amounting to £1,000,000 and 1500 casualties (November 17, 1863), later reported (January 16, 1864) that the inhabitants had retired from the town before the attack, and that the damage, caused by the typhoon rather than by the squadron, was slight. The assassin of Richardson was never punished, although in later years he was well known (Michie, II, 56).

in Kyoto practically as a hostage. At about the same time came the news, from Yedo, that the British indemnity had been paid, and from Choshiu that the first shots had been fired at the foreigners. The former was received with indignation, and the latter with loud acclaim.

Just about this time, July 4, a high court noble was murdered in Kyoto by three Satsuma samurai. This deed moderated the admiration of the court for that clan, and it was removed from its honorable post of guardian of the Inui gate of the palace.[28]

At Yedo there was much alarm because of the enforced residence of the Shogun at Kyoto. It was commonly reported that he would be deposed, and perhaps put to death. He had gone up to the court in April, intending to stay for ten days at the most; now, almost three months had passed. It was determined to rescue him by force, if necessary, and an attempt was made to secure the loan of some of the foreign war-ships at Yokohama as transports.[29] When the representatives of the United States, France, and England refused to allow their national vessels to sail under the Japanese flag (although Mr. Pruyn offered the services of the *Wyoming* to bring the Shogun back by sea), several British merchant vessels were chartered. Loaded with troops, and commanded by Oga-

[28] Japan, 1853–64, p. 96.
[29] For. Rel., 1863, II, 1131.

sawara Dzusho-no-Kami, the most active member of the Roju, they proceeded to Osaka.[30] This resolute proceeding was successful, without the use of arms, and the Shogun was able to leave Osaka by sea on July 24. But Ogasawara suffered for his loyalty, and for having paid the British indemnity, and at the demand of the court he was punished by the Shogun, being deprived of his title and honors and confined in the castle of Osaka.[31]

So far, to the disgust of the court, the Yedo authorities had done nothing toward expelling the foreigners save to give notice of future negotiations. At Kyoto another imperial edict urging action and citing the example of Choshiu was issued.[32] A court noble, escorted by troops from western clans, proceeded to Choshiu as an imperial visitor. Another noble was sent to Yedo to warn the Shogun that his delay in expelling the barbarians was most improper, while in

[30] Left Yokohama on July 11 and 13. Other troops left on the 23d.

[31] Japan, 1853–64, p. 100. For an entirely erroneous survey of these events, but the best information then available to the foreign representatives, see Pruyn to Seward, September 28, 1863, in For. Rel., 1864, III, 447–479, in which it is stated that a conspiracy existed to depose and assassinate the Shogun and place Hitotsubashi in his stead. Ogasawara was said to have been at the head of this conspiracy and to have been punished on its discovery. It was even said that the old Prince of Mito, who died in 1861, was believed to be at the bottom of it.

[32] Japan, 1853–64, p. 100.

September others were sent to visit some of the coast daimyos.[33] The court was in earnest in its anti-foreign campaign, even if the Shogunate was not.

In order to strengthen its weakened prestige, the Bakufu determined to send envoys of its own to some of the western clans, and also to investigate the attacks on foreign vessels at Shimonoseki. On September 8 the Shogun's ship, *Choyo Maru,* was fired on by the Choshiu forts, and two of the envoys, who were compelled to land, were assassinated by ronins. And yet, in spite of this direct insult, the Shogunate felt itself too weak to strike at its open foe.[34]

Meanwhile the prestige of the court steadily increased. The daimyos continued to flock into Kyoto, and many of them, great and small—more than a hundred, it is said—built residences there or enlarged their old sites, so that the town was full of troops. Never had it been so prosperous.[35] The victories reported by Choshiu and Satsuma over the foreigners were welcomed by the court, and letters of approval were sent to the clans. But the Yedo authorities at the same time sent out a warning to the daimyos not to proceed to hostilities until all efforts at negotiation had failed.[36]

With the announcement of this temperate advice,

[33] August 14. Ibid., 101.
[34] Japan, 1853–64, pp. 102–103.
[35] Ibid., 104.
[36] Ibid., 106.

the hotheads were more than ever convinced that nothing could be expected of the weakling Yedo administration, and the cry arose that the Mikado should take the field in person in the Phoenix Car. In Kyoto the ronins struck down "traitorous" officials and tradesmen with impunity. The court, now completely under the influence of the Choshiu party, approved of the proposal that the Mikado take the field; a military review was held in his presence on August 18; a week later it was announced that he would visit the shrines in Yamato and at Ise before undertaking the expulsion campaign in person; and on the 27th the prince of the blood, Arisugawa, was appointed generalissimo.[37] At this time a band of ronins, led by a former court noble, took the offensive in Yamato, attacking a Shogunate revenue office there, and proclaiming themselves the vanguard of the Emperor's army. Evidently the anti-foreign forces had gathered overwhelming strength.

It was, indeed, the high water-mark of the exclusionist agitation. Never again was it so near achievement. When its prospects seemed most fair, suddenly they were blighted. On September 30 a coup d'état was executed in Kyoto which destroyed for several years the influence of Choshiu and weakened the anti-foreign party. The enemies of the clan—and there were many among the Tokugawa officials and court

[37] Japan, 1853–64, p. 107.

nobles—charged it with planning to seize the person of the Mikado when he visited the shrines of Yamato, and thus to become dictator of the Empire.[38] The palace revolution was successfully carried through. The Choshiu forces were expelled from the city, and seven court nobles of high rank, who were accused of furthering the designs of the clan, retired with them. Satsuma troops were restored to their guardianship of one of the palace gates, the act marking a breach between the two powerful anti-foreign clans. This coup d'état, however, was based upon internal rather than foreign affairs. The Mikado announced during the confusion that his personal campaign was only postponed, and on October 1 the clans were instructed to expel the barbarians at once, without further orders from the Shogunate.[39]

But without the aggressive leadership of Choshiu the anti-foreign campaign lacked vigor. The Shogunate officials in Kyoto, regaining their courage, now began to punish the hitherto swaggering ronins, and many of the latter fled to Choshiu or joined marauding bands in the provinces. As the Japanese historian says: "From this time the scheme of expelling the barbarians fell to pieces like ice during a thaw, and the prestige which had accrued to the Imperial Court seemed to be lessened again by its own acts."[40] In

[38] Japan, 1853–64, 110–118; Japan, 1853–69, pp. 45–46.
[39] Japan, 1853–64, p. 118.
[40] Ibid., 121.

the meantime Choshiu made repeated efforts to win pardon for itself and for the seven kuge, but the Mikado was obdurate. The rising influence of the Shogunate was evident in a new imperial edict, very different from those which had gone before, to the effect that as the Shogunate was engaged in negotiations for the closing of the ports, its directions were to be followed in all things, and no rash or violent actions should be committed.[41] This development at Kyoto explains what otherwise seemed inexplicable at Yokohama.

In spite of all the expulsion edicts which were known to the foreigners—and the many others of which they had no inkling—the community at Yokohama did not consider the situation by any means desperate. To be sure, Mr. Pruyn, in a despatch of July 24 describing the Shimonoseki operations, very correctly stated: "The current is now setting strongly against us,"[42] because he feared the ministers at Yedo might be overawed by the hostile daimyos. In spite of all that had happened, he never failed to express his great sympathy with the government in its troubles; and although entire harmony existed among the four foreign representatives he would act with them only if they would not go too far.[43] Within a few days

[41] Japan, 1853–64, p. 128.
[42] For. Rel., 1863, II, 1134.
[43] Ibid., 1135; Pruyn MSS., July 22.

this alarm subsided, as was evident from the departure of almost the entire British fleet to press the demands against Satsuma. A private letter of Mr. Pruyn at this time gives a good idea of the situation at Yokohama:

I received yesterday a letter which Mr. Browne is translating said to be a summons from the Tycoon to some of the most powerful Daimios to meet him at Yedo to arrange for the expulsion of foreigners. He is now free from actual restraint, whether this movement is serious or not we cannot even anticipate. The rulers of Japan are performing a play on a grand stage, which is farce, comedy and tragedy intermingled. We cannot tell until the curtain falls and the actors walk the streets of everyday life, which will predominate. All we can now do is to watch the motions and guess which is the prevailing tone. The faces are masked and no feature or emotion betrays the real feeling. We have all kinds of rumours to which I have learned to pay no attention and all kinds of speculation to which I never attribute any value. Meanwhile everything goes on merry as a marriage bell and the disinterested observer, neither blinded by interest or led away by feeling would be inclined to laugh at the idea of danger. We have business and pleasure flowing freely in their accustomed and almost well-worn channels—everything seen almost in palpable open conflict with what is heard. We have no marrying and giving in marriage because there is no raw material, but with that exception we are as unconcerned as the antediluvians and yet a storm may come here as suddenly and out of as clear a sky.[44]

So, although the closing of the ports was mandatory, yet commerce prospered, and a boom in land values at Yokohama occurred just about the time of

[44] Pruyn MSS., August 3.

the Kagoshima affair![45] Mr. Pruyn then believed the Shimonoseki difficulty would be settled by the Shogunate, though perhaps not speedily enough, and early in September he believed it would be quite safe for him to take up his residence again at Yedo and purposed to do so as soon as his quarters were ready. In the meantime the representatives awaited instructions from their governments as to the course to pursue toward Choshiu.

This calm merely preceded another storm, one not so violent, however, as those which had gone before. On October 14 occurred another unprovoked murder of a European near Kanagawa. This time it was a French officer, Lieutenant Camus, of the 3d battalion of the Chasseurs d'Afrique, who, while riding alone, was cut down by three two-sword men.[46] Great was the indignation; but it was now realized that little could be done except to demand of the Tycoon's government that it run down and punish the offenders. The drastic demands based on the Richardson affair were not repeated, nor was it now considered wise or proper to hold the Shogun's government responsible for the murderous acts of private fanatics. Another phase of the renewed ronin activity was the pressure which these outlaws exerted to stop the commerce of Yokohama, this time striking at the source by in-

[45] P.P. 1864, Com. 66 (3242), p. 101; Heco, II, 11.
[46] For. Rel., 1864, III, 450; P.P. 1864, Com. 66, p. 110.

timidating the merchants of the interior who were shipping goods to the seaport. Under these circumstances the Roju begged Mr. Pruyn not to return to Yedo.

A few days later Mr. Pruyn and Mr. van Polsbroek, the Netherlands consul-general, proceeded to Yedo in response to an urgent invitation of the ministers for foreign affairs. The interview was held on October 26, and its purpose was to request the foreign representatives to ask their governments to consent to the closing of Yokohama and to have the trade transferred to Nagasaki and Hakodate, while the notification of Ogasawara that the foreigners would be entirely expelled would be withdrawn.[47] The reasons for this request were stated as follows:

The unsettled state of things in our realm is increasing. We are apparently approaching a revolution; there may be a general uprising among the people who hate foreigners, and to our shame we must confess that we have no power to suppress this insurrectionary movement.

It is principally owing to the opening to trade of Yokohama that this deplorable state of things exists.

If a continuance of trade at Yokohama be persisted in, the state of affairs will grow worse. Trade will suffer, and no doubt disappear in consequence, and then the friendship will be destroyed. It was to establish friendly relations that the treaties were made, as may be seen in the heading of each of them. Friendship is the corner-stone; trade is subordinate to friendship. We have always considered that the framers of the treaty intended it as an experiment, to last as long as

[47] For. Rel., 1864, III, 450–456.

it would not prove injurious to Japan. In order to perpetuate this friendship, it is of the highest mutual interest that the port of Yokohama be closed to trade, and, in our opinion, this is the only way to allay the prevailing excitement.

There was, of course, a great measure of truth in this exposition; and yet, as events proved, there were other ways of quieting the agitation than by closing Yokohama. The request itself, so much less drastic than that presented four months ago, marked a lessening of the anti-foreign pressure at Kyoto; and it must be remembered also that the anti-Choshiu coup d'état had occurred on September 30. This new proposal was presented to the American and Netherlands representatives first because the first treaties had been made with them, but also, no doubt, because it was felt that they would be more apt to accept it than their colleagues of Great Britain and France. But on this point there was no illusion. Mr. Pruyn and Mr. van Polsbroek both assured the ministers that they were convinced that the treaty powers would never consent to the closing of Yokohama to trade, nor could they themselves enter into any negotiations. They further said "that the treaties were never meant to be experiments, but that it is explicitly stated that they were made to perpetuate friendship and commerce between our respective governments and their citizens and subjects," and they refused to withhold the proposal from their colleagues.

When, the next day, a similar invitation was ex-

tended to all the ministers to visit Yedo, they refused either to go there or to receive at Yokohama any envoys charged with such a communication. The most they would agree to do was to forward the proposal to their respective governments. Colonel Neale, in addition, warned the Roju that any hostile acts by the government or by any daimyo would be resented by corresponding acts of retribution,[48] while Mr. Pruyn took the opportunity to repeat his friendly advice:

> Let it be at once proclaimed that his Majesty the Tycoon will faithfully observe the existing treaties and require his subjects to do the same. Peace in Japan will be secured by such an exhibition of good faith and vigor. A contrary course invites to a resistance of the authority of the Tycoon. It holds out expectations which will never be realized, while it encourages a defiance of his authority which may subject him to the twofold danger of a civil war and of serious difficulties with all the treaty powers.

This advice called for too strong a policy for the weak and temporizing Yedo officials to adopt at this juncture. One valued suggestion of the American minister was accepted. He had twice urged the Roju to withdraw the expulsion letter presented by Ogasawara on June 24, on the ground that it might be considered by the treaty powers as the equivalent of a declaration of war and hence render Japan liable for all the expenses incurred by them in protecting their interests, and also on the ground that it announced the

[48] P.P. 1864, Com. 66, p. 114.

settled policy of government to close the ports, and thus left no opportunity for negotiation with the powers.[49] He went over this ground again with three governors for foreign affairs on November 9, with such conviction that the Roju, on the 11th, notified all the foreign representatives that the former opinion of the government had been changed and that it was desirable that the letter of Ogasawara be returned.[50] This change in policy was received with much satisfaction by all the foreign representatives, the British chargé very naturally believing that the pressure exerted by the British fleet had contributed very largely to the happy result.[51]

The Shogunate, however, had not abandoned their proposal to close Yokohama, and they doubtless reasoned that as the mission in 1862 to the treaty powers had been so successful, another mission might succeed in this difficult emergency. On November 30, therefore, they turned first to the American minister and asked his advice as to how such a mission would be received in Europe and the United States. Mr. Pruyn could not speak for the European states, but he

[49] For. Rel., 1864, III, 456.

[50] For. Rel., 1864, III, 457.

[51] P.P. 1864, Com. 66, p. 115. On November 6 Admiral Kuper notified the governor of Kanagawa that he would not permit the Japanese to erect certain projected batteries for the defence of Yokohama, and they were in consequence given up (ibid., 114).

could say that in the United States their proposals would be listened to patiently and would be carefully considered, though he could hold out no hope of success.[52] Also, at their request, he agreed to transmit any communication they desired to the government of Russia, which at that time had no minister in Japan. The most likely explanation of this move, to Mr. Pruyn, was that government sought to gain time, as it had failed in its endeavors to commence negotiations with the foreign representatives at Yokohama.

Although they had received little encouragement from the most kindly of all the representatives, the Japanese still pondered over the new mission. Finally an opportunity was presented during the discussion growing out of the murder of Lieutenant Camus. The French minister, M. de Bellecourt, favored a mission of apology and regret, and Admiral Jaurès believed that an autograph letter from the Tycoon to the Emperor Louis Napoleon would go far toward settling the affair.[53] So it was determined that a mission should leave in February, nominally designed "to deprecate the anger of France," but actually commissioned to visit the European treaty powers and secure, if possible, their assent to the closing of Yokohama. This meant that for at least six months no active

[52] For. Rel., 1864, III, 463–464.
[53] For. Rel., 1864, III, 472.

measures were likely to be taken at Yokohama, and as we have seen, the Shogunate had warned the daimyos against any overt acts, and the Mikado had issued orders to the clans to follow the Shogun's instructions.

At this point something should be said as to the attitude of the American government toward the amazing developments in Japan during this critical year. Several things should be borne in mind in this connection. The United States was involved in the great Civil War, and the summer of 1863 marked the high water of the Confederacy. Although the relations with the European powers had improved, yet there was still every reason to preserve a good understanding with them. For this reason, if for no other, Mr. Seward constantly counselled the American minister to sustain and to cooperate in good faith with the legations of the treaty powers. He was also told to deserve and win the confidence of the Japanese government, if possible. "It may be not altogether easy to apply these two principles in the conduct of details. You will however make the best effort to do so, and will be permitted to judge which of them must give way in any case of irreconcilable conflict."[54] So when Mr. Seward learned of the British demands, which had impressed Mr. Pruyn so unfavorably, he warned him to lend them his moral support as long as the British

[54] July 10, 1863. For. Rel., 1863, II, 1129.

sought no conquest or exclusive advantage; but the naval forces were only to protect American lives, and were not to unite in hostilities against the Japanese.[55] Mr. Pruyn, furthermore, was to use his moral influence to procure or to preserve peace between the other powers and Japan.[56] As it took at least four months for despatches to be exchanged between Yokohama and Washington, although occasionally brief messages were telegraphed from San Francisco after the overland wire was opened on October 24, 1861, Mr. Seward wisely left to Mr. Pruyn a large discretion, and when the assaults on Americans early in May were reported, Mr. Pruyn was allowed to judge whether a pecuniary indemnity, in addition to the punishment of the offenders, should be insisted upon, or whether the claim should be put over until after the British demands had been adjusted.[57]

When, however, Mr. Pruyn reported, on June 9, that the legation in Yedo had been burned and that he had been compelled to take refuge in Yokohama, then, on September 1, Mr. Seward penned a despatch which called for specific reparation.[58] It was based upon certain conclusions, derived from Mr. Pruyn's reports.

[55] June 29. Ibid., 1126.

[56] July 7. For. Rel., 1863, II, 1126.

[57] Ibid., 1129.

[58] In reply to fourteen despatches from Mr. Pruyn, May 26–June 24 (ibid., 1148–1150).

First, the facts submitted by you raise a strong presumption that the act of firing the residence of the legation was committed by incendiaries, with a purpose at once political and hostile to the United States, and that the government of Japan could probably have foreseen and prevented it, and that they have, at least, given to it tacit assent and acquiescence.

Secondly, The President is satisfied that your removal of the legation from Yedo to Yokohama was prudent and wise, in view of the circumstances then existing in Japan, and the proceeding is approved. But it is equally clear that the government of Japan ought to have so controlled those circumstances as to have rendered the removal unnecessary; and that it is bound to provide for your safe return to Yedo, and for the secure and permanent re-establishment of the legation in that capital. . . .

Fourthly. It is with much regret that the President has arrived at the conclusion that the government of Japan has failed to keep its faith, solemnly pledged by treaty, with the United States. . . . The friendship of this country cannot be secured by the government and people of Japan, nor would it be of any avail, if the United States should fail to maintain their own dignity and self-respect in their intercourse with Japan with the same firmness which they practice in regard to all other nations.

Then followed the five demands: (1) indemnification for all the losses suffered through the burning of the legation; (2) diligent search to discover and punish the incendiaries; (3) proper and adequate guarantees for Mr. Pruyn's safe return to Yedo, and the permanent reestablishment of the legation there without delay; (4) the full observance of the treaties between the United States and Japan; (5) a reasonable indemnity, to be fixed by Mr. Pruyn, for the

injuries sustained by American citizens at the hands of Japanese, and the bringing of the transgressors to justice. The Tycoon's government was to be informed that the United States would, "as they shall find occasion," send additional forces to insist upon these demands.

It should be noted that although certain categorical demands were to be preferred, yet they were in the nature of indemnities or guarantees, and carried no punitive measures. In this way they differed widely from the heavy British indemnities.

This despatch, for some reason, was long delayed in transmission. On December 14 Mr. Pruyn wrote that he had received no letters since those dated July 10, but he had received copies of the despatch of September 1 through the courtesy of the French and the British minister, for Mr. Seward had forwarded copies to their respective governments.[59] His despatch to the Roju of December 21 was based on the copies, before the original despatch had reached him. In presenting the American demands Mr. Pruyn reviewed all the circumstances connected with the burning of the legation and the assaults upon Americans at Yokohama, and he assessed the damages at $10,000 in the first instance and $20,000 in the second, and in addition $2000 for an American citizen, George Horton, who had been deported by the Japanese from the

[59] For. Rel., 1864, III, 465.

Bonin Islands. If the sum of $32,000 was not paid within thirty days, he reserved the right to make such additional demands as might be required by further instructions or the course of events.[60]

Before the presentation of these demands, Mr. Pruyn had already secured the consent of the Roju to the payment of $10,000 damages for the *Pembroke,* although the amount had not been received. He had expressed his willingness to settle the attack upon the *Wyoming* and the insult to the flag without any money indemnity, provided a sum was paid to provide annuities for the families of the dead and for the wounded.[61] Furthermore a correspondence regarding the return of the American legation to Yedo had been in progress for several months.[62] Now, without any ship of war to support him (for the *Jamestown* left on December 28 in search of the Confederate cruiser *Alabama*), Mr. Pruyn was called upon to secure redress by argument alone.

In their reply of January 18, 1864, the Roju refused to pay any damages for the burning of the legation, lest it be taken as a confession that the fire was caused "by secret instigation of criminals," which would be "an extraordinary indignity for our government." This question they proposed to have their new em-

[60] Ibid., 466–472.
[61] November 28. For. Rel., 1864, III, 458.
[62] Ibid., 460–463.

bassy take up with the Washington authorities. As to the other indemnities, they would investigate and confer with Mr. Pruyn later.[63]

To this the American minister replied that the payment of the claim would not "necessarily involve the idea . . . of the complicity of the government in these lamentable occurrences," and he warned them that the President's decision would not be modified or abandoned, and that it would be useless to send envoys to Washington while affairs at Yokohama were in so unsatisfactory a position. Their refusal, he asserted, was additional proof that no justice could be expected unless a minister was supported by a permanent and strong naval force, and it would be his duty to summon the force now in Chinese waters and make use of it if necessary for the maintenance of the national dignity and the rights of American citizens. In closing he reminded them that the United States had not yet agreed to the postponement of the opening of Osaka, Hiogo, and Niigata, and it would be justified in withholding such consent altogether and notifying the treaty powers that it regarded such ports as now open under its treaty with Japan.[64]

This statement introduced a new subject for discussion, which had been overlooked by the Japanese, and it came just when they were anxious to have their

[63] Ibid., 476–477.

[64] January 20. For. Rel., 1864, III, 477–478.

affairs in order before the new mission to negotiate for the closing of Yokohama should sail. Mr. Pruyn was approached on the matter of granting the assent of the United States to the postponing of the opening of the ports, and the result of the conferences was a convention lowering to five per cent the duty on several kinds of imports, and placing articles used in the preparation and packing of tea on the free list.[65] On the same day, January 28, Mr. Pruyn consented to the extension of the time for opening Yedo, Osaka, Hiogo, and Niigata, to five years from January 1, 1863. A few days later the ministers, by proclamation, reduced the duties on certain other imports to six per cent.[66] These tariff reductions, as well as the signature of the Swiss treaty and the long delayed exchange of ratifications of the Prussian treaty, were all considered due to the desire of the government to propitiate the treaty powers before the arrival of their

[65] These terms were practically agreed upon in January, 1863, but the signature was delayed for a full year (For. Rel., 1864, III, 482–484; P.P. 1865, Com. 57, p. 9).

[66] Articles to be admitted at five per cent duty: machines and machinery; drugs and medicines; iron, in pigs or bars; sheet iron and iron ware; tin plates; white sugar, in loaves or crushed; glass and glassware; clocks, watches, and watch chains; wines, malted and spirituous liquors. Mr. Pruyn inserted the provision for spirituous liquors in order not to appear unfriendly to France. The Japanese themselves reduced the duty on jewelry, perfumery and soap, books, paper, mirrors, arms, cutlery, and drawings.

envoys. This was the second break in the reasonable tariff drawn up by Townsend Harris in 1858; but as the whole tariff would be subject to revision after July 1 following (according to the treaties of 1858), the Japanese doubtless thought the concession a small one. It was the treaty of June 25, 1866, which bound Japan by a disadvantageous conventional tariff until 1894.

In spite of this friendly interlude, the American claims remained unsettled; yet so encouraged was Mr. Pruyn at the turn in the reactionary tide that he counselled moderation in pressing them. He wrote to Mr. Seward: "The dictates of an enlightened humanity have justified the friendly and patient forbearance which has heretofore characterized our relations with this government; and it is pleasant to believe that such forbearance is still compatible with our true interests as being best calculated to overcome the obstacles arising from the laws and institutions of the government and the prejudices of the ruling class."[67] Similar moderate views were entertained at this time by Colonel Neale, the British chargé. On March 1 he wrote to Earl Russell that trade was flourishing, and the general results at the close of the last year were "satisfactory beyond all expectation;" that no aggressive or seriously obstructive acts might be expected from either the Tycoon or any of the daimyos,

[67] February 29, 1864. For. Rel., 1864, III, 484.

at least while the envoys were in Europe; that although Choshiu still closed the Straits of Shimonoseki, yet, "unless for the purpose of vindicating our right of passage, I am not aware of any detriment sustained to our commerce or navigation in this country by this temporary obstruction;" that "the real designs of the rulers of this country in regard to foreigners in the future, whether they tend towards peace and amity, or to stoppage of trade, aggressive acts and war, are not . . . matured or determined even by the Tycoon's Government itself, or by the principal feudal chiefs;" and, finally, "an expectant and defensive policy, with a strong naval force in these waters, and a moderate military contingent available in China, if meanwhile our commercial relations are continuedly prosperous, would seem, I humbly conceive, to be the best adapted to meet the actual and present position."[68] Fifty years later such a policy would be summed up in the two words, "watchful waiting."

Such were the views of the representatives of the two leading treaty powers in Japan about the first of March, views which counselled "friendly and patient forbearance" and an "expectant and defensive policy." But in a short time all this was changed and a strong policy, to secure peace by making war, was substituted. For that change two things were responsible,—the lack of telegraphic communication with Japan, and the re-

[68] P.P. 1865, Com. 57, p. 12.

turn to his post of Rutherford Alcock, the British minister.

Sir Rutherford—for he had recently been created a Knight Commander of the Bath—had left Yedo in March, 1862. He had been present in London when the first Japanese envoys had agreed to the convention of June 6 of that year, and his views had doubtless influenced Earl Russell when he drafted his crushing demands for indemnities in the Richardson affair, in December. A year later, in December, 1863, he left England for Japan, and arrived at Yokohama on March 2, 1864. When about to leave, Earl Russell had given him certain very general instructions, in view of the uncertainty concerning affairs in Japan which then prevailed.[69] These instructions called, however, for a defensive policy. He was to require from the Tycoon and the daimyos the execution of the engagements of the treaty; he was to consult with the admiral and any military officer in Japan as to the means of strengthening and holding Yokohama; but the abandonment of Nagasaki in case of attack was suggested. The admiral, if Alcock agreed, was authorized to destroy the batteries which had been erected to interrupt the passage of British merchantmen, "and which shall have evinced their hostile purposes by some hostile act," but their hostile purpose must be clearly proved. The admiral was to take care "that no un-

[69] P.P. 1865, Com. 57, p. 1.

armed and peaceable towns should be bombarded, but when fired upon the ships of war must return the fire with vigor and rapidity." In other words, the government was unwilling to authorize the destruction of another town like Kagoshima,—and it must be remembered that to the date of these instructions no British ship had been fired upon at Shimonoseki. Further instructions warned Alcock that the modifications in the treaty agreed upon at London in 1862 were to be considered binding unless expressly revoked,[70] and also that although he might call upon the naval and military forces for assistance, yet when operations had been decided upon their execution was to be solely in the hands of the naval and military commanders.[71] He was to have "no authority to direct either of them to undertake any operation, or to interfere with their directions as to the manner in which any operation should be conducted," nor could they undertake any military or naval operations without his concurrence, unless some sudden emergency should call for immediate action. Further evidence of the moderate opinions which prevailed at Downing Street is found in the passing of an additional Order in Council on January 7, 1864, which authorized the British consul-general in Japan, whenever it should appear that the unrestricted entrance or passage of British ships or

[70] December 19. P.P. 1865, Com. 57, p. 1.
[71] December 24. Ibid., 2.

vessels into any straits or other waters of Japan "may lead to acts of disturbance or acts of violence, or may otherwise endanger the maintenance of peaceful relations and intercourse" between British subjects and those of Japan, to make and enforce any rule or regulation for the purpose of prohibiting or regulating such entrance or passage. British ships of war were authorized to use force to carry out such regulations, and if need be to seize the offending ship and take her to some port in Japan so that the navigators might be brought to trial.[72] This Order in Council certainly was designed to avoid trouble in the Straits of Shimonoseki.

The development of Sir Rutherford's views after his return to Japan can be traced with some accuracy through the voluminous despatches which he forwarded to Earl Russell or to his colleagues in Yokohama. As dean of the diplomatic corps, with experience going back to 1859 in Japan, and earlier still in China, his views were worthy of careful consideration, and, when supported by his forceful character, soon prevailed upon all his colleagues. Under Alcock's leadership they revised their own opinions and set aside the instructions of their governments. Nothing but the apparent success of his policies saved him and his

[72] P.P. 1865, Com. 57, pp. 3–4. The right of foreign ships to enter the Straits of Shimonoseki was not questioned at the time, although this narrow strait was wholly within the jurisdiction of Japan.

colleagues from severest censure, and today it is possible to think of that success as more apparent than real.

It will be remembered that, some years before, Sir Rutherford and Townsend Harris were not on the best of terms. Their different attitudes toward Japan precluded any common understanding. But the events of the past two years had seemingly given some support to Alcock's earlier views, so that after his first conference with Mr. Pruyn, on March 16, the latter was able to write: "We find ourselves in very fair accord and I think we will walk well together. There need be no conflict as the interests of our respective governments harmonize, and yet he and Mr. Harris quarrelled like old women."[73] Already the policy of cooperation had been established in the joint memorandum of July 25, 1863, and it was incumbent upon Alcock to maintain this joint action, but if possible under his own direction.

At the end of the month Alcock sent to Earl Russell a long despatch, summing up the developments of the past two years, and stating his conviction that the end of conciliation and forbearance by the treaty powers had been reached.[74] This conclusion, however, was based upon premises both false and erroneous. After describing the concessions made when the first envoys visited Europe, he wrote:

[73] Pruyn MSS., March 16, 1864.
[74] March 21. P.P. 1865, Com. 57, pp. 13–16.

The avowed object of the second Mission is to declare that all the hopes held out by the Tycoon of the probable results of the first concessions have been illusory. He is not stronger but weaker than he was. His Government is not more but less able to hold its own and protect foreigners from the hostility of the opposing Daimios; and now what he has to propose is no longer concession or even alliance offensive and defensive, but absolute withdrawal from the country as the sole condition of peace.

As to the first statement, we have already seen the weakening of the anti-foreign agitation at Kyoto, the expulsion of Choshiu, the pro-foreign views of Satsuma, and the Mikado's edict to follow the directions of the Shogun in regard to foreign affairs. As to the second, the very mission of the envoys was proof of the improvement in foreign relations. In June, 1863, the foreign ministers were served with notice that the Mikado had given orders that all the ports be closed; but this letter had been withdrawn, and in February, 1864, the envoys were despatched to negotiate regarding the closing of Yokohama only. The idea of "absolute withdrawal" had not been mentioned for several months until Alcock himself revived it. In this despatch there were enclosures describing the conferences then in progress at Kyoto in which several of the staunch pro-foreign daimyos were taking a prominent part, as well as telling of the attack by Choshiu upon a steamer of Satsuma,[75] thus indicat-

[75] January 26. The steamer belonged to the Tycoon and had been loaned to Satsuma. It was burned, and twenty-six

ing the open breach between the former leaders of the anti-foreign faction. It would have been easy to find in recent developments a vindication of the policy of "friendly and patient forbearance."

Two weeks later Alcock wrote[76] that although

> there is the strongest ground for believing that there will be no material improvement until measures of hostile and coercive character are resorted to—measures sufficiently decisive and uncompromising to carry conviction into the minds of all who are responsible, and the ruling classes generally, that there are some Treaty Powers at least who possess both the will and the ability to maintain in their integrity all the rights conferred by Treaties, and secure their full observance with the strong hand,

yet the time was not ripe. In the first place, the Americans had no ships, the French but one, and the Dutch but two, in those seas, and, secondly, it might be well to wait until more was learned of the decision taken at Kyoto concerning foreign affairs. For coercive measures Alcock found ample justification in the acts of Choshiu in firing upon foreign flags and in sinking native junks laden with produce for the foreign trade. Other grievances requiring redress were the virtual exclusion of the foreign representatives from Yedo, and "the suspension of all the functions of Government there, so far as foreigners are

Satsuma men were lost. Choshiu explained that it was mistaken for a foreign vessel (P.P. 1865, Com. 57, p. 17; Japan, 1853–64, p. 130).

[76] April 14. P.P. 1865, Com. 57, pp. 18–20.

concerned, by the prolonged absence of the Tycoon and his Ministers;" the isolated attacks upon foreigners at the treaty ports; and even the murder of Japanese merchants at Osaka and elsewhere, avowedly for trading with foreigners. One may search in vain through these despatches of the British minister for any appreciation of the difficult position in which the Tycoon's government was placed, or any sympathy with it in its endeavors to keep faith with the foreigners and preserve order within the land. But to consider the absence of the Tycoon and some of his ministers from Yedo, in order to take part in a conference of the most vital significance at Kyoto, as a grievance "requiring redress," seems to reach the summit of arrogance.

In the meantime Alcock and Mr. Pruyn had engaged in several conferences on the state of affairs, and their views were presented in an exchange of letters.[77] Alcock's letter of April 22 surveyed at great length the situation as he understood it, and arrived at certain conclusions: first, "that there is a settled purpose to get rid of foreigners, and either to expel them from the Japanese territories altogether, or, failing this, to lock them up within the fortified barriers of Nagasaki, where entrance and escape are alike difficult, if not impossible, without the consent of those who hold the keys;" secondly, that the treaty

[77] For. Rel., 1864, III, 495–502.

powers must decide between the active and the passive policy; thirdly, that the conduct of Choshiu amply justified any action on the part of the powers; and finally, that an attack upon Choshiu by all the powers with or without the Tycoon's consent might either prevent an attack upon the foreign communities, or else precipitate a war now, when the Japanese would have to act at a disadvantage before their preparations were completed. These views were based on the premise that hostilities were bound to occur sooner or later, and that the offensive would really be the best defensive.

Mr. Pruyn's reply, dated May 13, while accepting much of Alcock's reasoning, arrived at a very different conclusion:

> In view of these facts, what is the duty of the treaty powers? Manifestly to insist on the observance of the treaties, and neither to surrender nor postpone any rights now acquired. At the same time, they should, in my opinion, exercise great moderation and forbearance in their treatment of the government, and give it credit for sincerity, as far and as long as possible; sympathize with and aid it in its difficulties, and strengthen it as far as may be safe, to enable it to resist any probable combination of the Daimios, of whom the Tycoon is not the sovereign, and who are in a great measure independent.

But the wisdom of punishing Choshiu evidently appealed to him, and he was ready to meet with his colleagues and concert such measures as seemed essential to the preservation of treaty rights.

On the first of May, Sir Rutherford forwarded an-

other long despatch to Downing Street, to the effect that advices from Kyoto were convincing proof that the government was determined to expel the foreigners as soon as it had made the necessary preparations, and that a decision would soon have to be made whether the powers would calmly await "the full-maturing of all their schemes of treachery and violence to effect their avowed object, the destruction of trade, and the expulsion of foreigners, in violation of all existing Treaties, or anticipate such hostile action by taking at once some effective steps to place our relations on a more secure and less derogatory footing?"[78] On May 6, for the first time, he developed his plans for an attack upon Choshiu, "the most violent and rash of his class," which would tend to paralyse the whole body of daimyos.[79] He also summoned more troops from Hongkong to guard Yokohama while the projected operations were in progress.[80]

These despatches, increasingly strong in tone, caused consternation in the Foreign Office at London. The Kagoshima operations had recently been severely criticized in Parliament. Government was

[78] P.P. 1865, Com. 57, pp. 27–29.

[79] Ibid., 32–36. In this despatch Alcock commented at length on the memorial of the eleven daimyos early in 1863. The anti-foreign views of several of them had, however, altered considerably in the year that had passed.

[80] Ibid., 43.

not well disposed toward blundering into another war in the Far East, and Alcock was promptly advised to that effect.[81] On July 26 Earl Russell replied to Alcock's despatches of May 1, 6, and 14, and after rejecting his proposal "to make war for the sake of forestalling war," continued:

> There is another course of policy which appears preferable, either to precipitating hostilities, or to the abandonment of the rights we have acquired by our Treaties. This course of policy appears in conformity with the views so moderately and carefully expressed by the minister of the United States.[82]
>
> This policy consists in—
>
> 1. Giving every encouragement and support to such of the Tycoon's Ministers, and to such of the Daimios as are favorable to foreign trade, and thus lead to the ultimate weakening of the feudal system and of the protectionist theory of Japan.
>
> 2. To make arrangements with the Japanese Government for the protection of the foreign settlement at Yokohama.
>
> 3. To keep for the present a strong squadron in the Japanese seas.
>
> 4. To endeavour to establish an understanding with the Governments of France, the Netherlands, and the United States, with a view to our common interests in Japan.

In another despatch of the same day Earl Russell wrote:

[81] Ibid., 44.

[82] This refers to Pruyn's letter of May 13. The sentence "This . . . States" is omitted from the despatch as printed in P.P. 1865, Com. 57, p. 44, but Alcock gave Pruyn a copy of the despatch as he received it, which is published in For. Rel., 1864, III, 556, and Lord Lyons showed a copy to Mr. Seward (ibid., 594), both of which contained the sentence.

Her Majesty's Government positively enjoin you not to undertake any military operations whatever in the interior of Japan; and they would indeed regret the adoption of any measures of hostility against the Japanese Government or Princes, even though limited to naval operations, unless absolutely required by self-defence. The action of the naval and military forces of Her Majesty in Japan should be limited to the defence and protection of Her Majesty's subjects resident in Japan, and of their property, and to the maintenance of our Treaty rights.

It may be hoped that the power vested in you by Her Majesty's Order in Council of the 7th of January last, to prohibit, or regulate, or restrict, the entrance or passage of British ships into straits or waters of Japan, when such entrance or passage may lead to acts of disturbance or acts of violence, or may otherwise endanger the maintenance of peaceful relations or intercourse between Her Majesty's subjects and the subjects of the Tycoon of Japan, will enable you to prevent the occurrence of the necessity for any such measures of hostility to obtain redress for injuries done to British vessels.[83]

The British government had, therefore, refused to support its aggressive representative in Japan, and instead it had adopted as its own the policy of moderation and forbearance laid down by the American minister. More than that, it sent copies of Russell's despatch to the other treaty powers, and expressed the hope that a concert might be established. The acquiescence of the United States and France was promptly given; the Netherlands alone favored action against Choshiu, but it preferred if possible to have it come through the Tycoon's government.[84] In

[83] P.P. 1865, Com. 57, p. 45.

[84] Ibid., 54–55.

a despatch of August 20 Mr. Seward informed Mr. Pruyn of the President's approval of the four points laid down by Earl Russell, and emphasized it by a statement that it would probably be inconvenient to keep a naval force constantly in the Japanese seas, but that the United States would endeavor to have a vessel appear there sufficiently often to make a suitable impression upon the Japanese government. But before these pacific despatches could reach Japan the offensive had already been assumed.[85] If there had been telegraphic communication the only joint naval operations of the treaty powers would never have occurred.

[85] Alcock received the despatches before September 30.

CHAPTER X

The Joint Expedition Against Choshiu

The proposal "to make war for the sake of forestalling war" had been put forward by Sir Rutherford Alcock on the strength of his understanding of the probable attitude toward foreigners of the Mikado, the Tycoon, and the leading daimyos.[1] It is unfortunate that the Shogunate did not deem it advisable to keep the foreign ministers well informed of the political situation within the country; and yet its course was intelligible. To have told the foreigners of the full force of the opposition might have encouraged them to do what had occasionally been threatened,—pass over the Shogun and deal directly with the Mikado at Kyoto. Nor could the Yedo authorities speak freely of movements concerning which they were not themselves fully informed, or tell the ministers that the anti-foreign policy which they had been forced to accept was but a blind, and that they hoped to temporize long enough to overcome

[1] "It is possible that Sir Rutherford Alcock's fears were well founded, but to the writer, himself a resident in Japan at the time, it has never appeared probable that the policy of expulsion was seriously entertained by any party in, or likely to be in, power" (Dickins and Lane-Poole, II, 33–34).

the opposition of the hostile nobles and the court.[2] There was, to be sure, abundant written evidence of the hostile disposition of both the Kyoto and the Yedo administration, but there was also reason to believe that the crest of the anti-foreign wave had been reached and passed. As Mr. Pruyn had said of this baffling period, "Everything seen [is] in palpable open conflict with what is heard." With such ignorance of the real situation misunderstandings were bound to occur. The amazing thing is, not that there were so many, but that there were so few.

After the expulsion of Choshiu from Kyoto on September 30, 1863, there had been a weakening of the anti-foreign agitation at the capital accompanied by an increase in the prestige of the Shogunate, until, as we have seen, the Mikado gave orders that "the directions of the Bakufu were to be followed in all things, and that no rash or violent actions must be committed." This declaration had encouraged the

[2] A slightly similar situation prevailed during these years of civil war in the United States. Mr. Seward, secretary of state, was very frank in his conversations with the foreign ministers, especially Lord Lyons, but he gave expression to his own point of view, which at times did not agree with the facts. Not infrequently his despatches to the American representatives abroad were designed rather for consumption in America than for effect in Europe. So the Tycoon framed letters and orders which might quiet the restless daimyos but which he had no desire to act upon in dealing with the foreigners.

Yedo officials to revise their demands upon the foreigners, and instead of seeking their entire expulsion to ask only that Yokohama be abandoned. On November 13 Shimadzu Saburo, of Satsuma, visited Kyoto for the third time in order to advocate a second great conference there for the purpose of aiding the Shogun in "performing his duty against the barbarians, and in giving peace to the empire."[3] This proposal was adopted by the court, and the Shogun was requested to make a second visit to Kyoto.

Once more he was preceded by Hitotsubashi, his guardian, who reached Kyoto on January 5, and a month later the Shogun left Yedo, arriving in Kyoto on February 22. Instead of being severely reprimanded by the Mikado for so constantly putting off the date of expulsion of the foreigners, as many expected, he was received with honor and promptly promoted to the rank of third minister at the imperial court (Udaijin). On February 28 the Shogun and his suite had audience of the Emperor, at which an imperial speech was read by one of the nobles.[4] In this the Emperor ascribed his own want of virtue as the cause of their present unhappiness: "At home the laws put aside, the bonds of society loosened and the people groaning under a weight of misery; on all sides there is evidence of dissolution and ruin.

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[3] Japan, 1853–64, p. 129.
[4] Ibid., 132–133.

Abroad, we are exposed to the insults of five great continents of haughty barbarians, and the calamity of being swallowed up by them threatens us at every moment." He then stated: "The subjugation of the ugly barbarians is a fundamental law of our polity, and we must set an army on foot in order to strike awe into them and chastise them. But we like not in truth a reckless attack upon the barbarians. Do you therefore ponder an efficient scheme and submit it to Us. We will then discuss its merits with care, and come to a firm and irrevocable determination." The Mikado also named five of the great daimyos who might be depended upon in this emergency, and the Shogun was instructed to work with them. This speech, while still calling for the expulsion of the foreigners, was much more restrained than were the edicts of the preceding year.

On March 5 an imperial letter[5] was presented to the Shogun, which lamented the weakness of the land: "After a peace of more than two hundred years, Our military power is insufficient to put down our foreign enemies, and We therefore fear lest to revive recklessly the law of punishment and warning would be to plunge the state into unfathomable disasters," but found comfort in the reforms introduced by the Bakufu. In regard to foreign affairs there was this surprising statement:

[5] Japan, 1853–64, pp. 134–136; P.P. 1865, Com. 57, p. 30; For. Rel., 1864, III, 502–503. Three different versions.

But contrary to all anticipation, Fujiwara Sanetomi and others, believing the violent words of low and vulgar fellows, and disregarding the condition of the Empire and the safety of the state, have falsified our command, and issued orders to soldiers of low rank to expel the barbarians, and madly to raise up war to destroy the Shogun.

The violent servants of the Saisho of Nagato have made a tool and a plaything of their master, have without provocation fired upon barbarian ships, have murdered the messengers of the Bakufu, and have for their own purposes seduced away Sanetomi and others to their province. Such mad and violent people must certainly be punished. Nevertheless, as all this arises from Our want of virtue, we sincerely feel unspeakable repentance and shame. Moreover, We are of opinion that if our war vessels are compared with those of foreigners, it will be seen that they are as yet insufficient either to destroy the fierceness of the proud barbarians, or to manifest the dignity of our country abroad; but on the contrary we receive constant insults at their hands. You must therefore, as you have frequently asked permission to do, fortify the important harbours of the Inland Sea, with the whole resources of the empire, subjugate the ugly barbarians, and carry out the Law of Punishment and Warning made by the former Emperors.

This letter, therefore, approved the cautious policy of the Shogunate, and decreed punishment for Choshiu and the fugitive court nobles. It was received by the Tycoon and the daimyos present in Kyoto, and was forwarded to those who were absent.

The Shogun's reply was presented on the 21st.[6] In it he expressed regret for all his shortcomings, especially in failing to close the port of Yokohama, and he

[6] Japan, 1853–64, pp. 137–139; P.P. 1865, Com. 57, p. 31; For. Rel., 1864, III, 504–505. Different versions.

promised to carry out all the instructions then received:

> The protection of the seaboard is a matter of course, and he will carry to the highest degree of perfection the military defences of every province; he will put an end to the contemptuous treatment we receive from the barbarians, and will prepare vessels of war; in the end he will revive the great law of Punishment and Warning, and cause the dignity of our country to be known beyond the seas. To all these things will he give his most diligent attention.

He would, however,

> strictly observe the Imperial wish that Punishment and Warning should not be recklessly entered upon, and he hopes to be able to devise such a plan as shall ensure certain victory. As he has already sent envoys to foreign countries to speak about the matter of closing the port of Yokohama, he hopes, at all events, to be able to accomplish that; but as the dispositions of the barbarians are hard to fathom, he will continue to be most diligent and energetic in the fortification of the seaboard.

Copies of these letters came into the possession of Sir Rutherford Alcock in April, and became the evidence on which he based his conclusions that the Japanese were about to either expel the foreigners or lock them up at Nagasaki. At the time both documents were considered weak and temporizing by the exclusionists.[7] "By speaking thus, after having previously proclaimed the 'expulsion of the barbarians,' the Court brought upon itself the reproach of inconsistency,"

[7] Japan, 1853–69, p. 53.

wrote a contemporary historian. The Emperor also wondered if the Shogun had really understood his commands, which elicited another statement from the latter that "the barbarians must not be expelled without deliberation."[8]

During the rest of his stay in Kyoto the Shogun steadily gained in favor and influence.[9] This fact is evident in the stern repression of the anti-foreign ronins in Kyoto, in the distribution of high court honors by the Mikado among the leading retainers of the Shogunate, in the refusal of the Mikado to pardon Choshiu and the seven fugitive court nobles, and finally in the conferring on June 3 of full powers on the Bakufu, in all matters, including the closing of Yokohama and the punishment of Choshiu and the seven nobles. The Shogun, in turn, issued a new law which greatly increased the prestige of the court, providing among other things that the Shogun and the daimyos should go up to Kyoto in the future to receive investiture on succeeding to their offices or fiefs. From every point of view this visit to Kyoto was more encouraging than that in 1862, and when the Shogun returned to Yedo on June 23 there was great joy among all the officials, great and small, "who were glad to think that, by the aid of the Shimadzu family, the Tokugawa family had been reinstated, and their

[8] P.P. 1865, Com. 57, p. 32.
[9] Japan, 1853–64, pp. 141–144.

happiness was shared by the town, down to the very lowest classes."[10] But this satisfaction was not shared by Choshiu, or by the anti-foregin ronins who had gathered there. The restored influence of the Shogunate at Kyoto was to be maintained by the presence there of Hitotsubashi, who had been appointed protector of the imperial palace, the Daimyo of Aidzu, staunchly loyal to the Tokugawas, who was military governor of the city, and the Ex-Daimyo of Echizen, the most outspoken of all the pro-foreign lords.

As we have seen, the deliberations at Kyoto were considered menacing by the foreign representatives, and it was generally believed that a determined effort was about to be made to close Yokohama. Frequent conferences were held by the four representatives of the United States, Great Britain, France, and the Netherlands, and on May 18 Mr. Pruyn, for the first time, expressed the hope "that the position of affairs at home will permit the President to despatch a strong re-enforcement to the squadron in the China sea." In his opinion the withdrawal of the ships then in the harbor would be the signal for an instantaneous outbreak, and the United States "should participate in protecting our common rights and interests."[11]

About this time the Roju sent a high official to communicate to the British minister certain information

[10] Japan, 1853–64, p. 144.
[11] For. Rel., 1864, III, 493.

concerning the proceedings at Kyoto, "and the satisfactory result attained, after innumerable difficulties," and also to urge the powers not to proceed against Choshiu, as the Tycoon proposed to initiate punitive measures against that daimyo himself.[12] This announcement was received with suspicion, and its purpose was believed to be solely to gain time until the Roju were ready to turn against the foreigners.[13] In reporting this to Earl Russell, Alcock asserted that the treaty powers were reduced to three alternatives: to be shut up in Nagasaki or Hakodate, to withdraw from

[12] P.P. 1865, Com. 57, pp. 45–49. Typical of the uncertainty of the times, and of Alcock's attitude of mind, is the fact that he preferred to accept as correct, instead of the information presented by the Shogunate official, which really was accurate, certain information "previously received from other and at least as reliable sources." This budget of news contained such false information as that Choshiu had appeared before the Council at Kyoto (whereas the Mikado resolutely refused to pardon him); that Aidzu had committed hara-kiri, and later that he had been murdered by a Satsuma ronin; that Echizen had been denounced as a traitor and had left the Council, for his own safety; and that "the final triumph of the more violent members of the Council hostile to foreigners" had been attained.

[13] It was at this time that Alcock demanded that the Japanese provide accommodations for the British marines and the 20th Regiment, on the ground that the perpetual menace of danger and the efforts for the expulsion of the foreigners directed by the Tycoon's government made their presence necessary. The Japanese granted the desired quarters. This would seem to indicate that the Shogun, at least, had no immediate intention of attacking Yokohama.

Japan altogether, or to maintain treaty rights in their integrity with effective force. Pending the receipt of specific instructions, he felt that the representatives on the spot would have to decide between one of two courses:

> They must either consent to wait passively the course of events, until acts of violence or treachery for the expulsion of foreigners from Yokohama are in full operation, or anticipate attack, and, if possible, avert it, by striking a blow at Choshiu's batteries, closing the Inland Sea to commerce, which may cause the hostile Daimios, as a body, to pause and recoil before the immediate consequences to themselves of a conflict with one or more of the Treaty Powers.

Alcock had determined upon a course of proceedings—a joint attack upon Choshiu—as early as the beginning of May, but he was not prepared to carry it immediately into effect or to urge it too forcefully upon his colleagues. As the result of repeated conferences of the four representatives a protocol was agreed to on May 25 and formally signed on the 30th.[14] It is interesting to note that in forwarding the unsigned draft to Earl Russell, on May 25, Alcock now

[14] In sending a first rough draft of this protocol to Mr. Pruyn on May 18, Alcock pointed out that "the object I believe we should all desire to have in view is to affect [affirm] our right of action in any direction without binding ourselves down to the time or the mode—and if possible to deter the government from proceeding to extremities until we ourselves were better prepared or our governments had time to give specific instructions and means to carry them out" (Pruyn MSS.).

pointed out that the enemy which the treaty powers had to face was the body of six hundred daimyos, which controlled both Executive and people, and that as the former could not be conciliated "we must either accept the gage he throws down or retire from the conflict."[15]

The preamble of the protocol[16] stated that the representatives of Great Britain, France, the United States, and the Netherlands, "being fully convinced of the increasing gravity of the existing state of affairs in Japan, have thought it right to unite in order to consider, in concert with each other, the nature of the situation, and to organize by mutual understanding the means for preventing its aggravation." Three points were then considered: the silence of the government regarding the joint declaration of July last dealing with the hostile acts of Choshiu; the communications made by the Roju with regard to closing the port of Yokohama; and the joint measures necessary to be adopted "to preserve the rights guaranteed by Treaties, to secure the safety of their countrymen, and to stay the Governor [sic] of the Tycoon in the course of open reaction upon which they have entered." As to the first point, it was resolved to recall to the attention of the government the collective declaration of last July, and to make a fresh effort to cause it to remove the

[15] P.P. 1865, Com. 57, pp. 49–50.
[16] French and English texts, ibid., 50–53.

obstacles which obstructed the navigation of the Inland Sea; as to the second, the protocol simply recorded the four statements of the Roju that Yokohama should be closed, and especially similar statements recently made to the British and French ministers; and as to the third, it was held to be the duty of the representatives to summon the government of the Tycoon to formally withdraw the declaration of its determination to close the port of Yokohama, and, in default of a satisfactory reply and pending the final decision of their respective governments, to reserve to themselves

> in the first place the right of declaring collectively to the Tycoon's Government that they consider them responsible for the least injury which may be caused to the persons or properties of their countrymen, and of afterwards taking in concert such measures as they may judge necessary for assuring, each according to the means of action which he has in his power to dispose of, the safety of the foreign communities at Yokohama, as well as the maintenance of the rights guaranteed by Treaties.

A copy of this protocol was at once forwarded to the Roju by each of the ministers, under an identical covering note.[17]

On receipt of Alcock's despatches of May 21 and 25 and the draft protocol, Earl Russell at once recalled the forceful British minister, and again criticized his views on Japanese affairs.[18] On August 18 he re-

[17] P.P. 1865, Com. 57, p. 53; For. Rel., 1864, III, 506.
[18] August 8. P.P. 1865, Com. 57, p. 54.

peated his belief that the navigation of the Inland Sea was not necessary to foreign commerce as long as Kyoto and Osaka were closed, and instructed Alcock not to call upon Admiral Kuper to attack Choshiu, but to turn all their attention to the defence of Yokohama.[19] There is today much reason to believe that in this paragraph Earl Russell expressed a sound judgment concerning the situation in Japan: "If the Tycoon and the Mikado see that the British position is strong, and that the British naval and military forces are effective, they will, by degrees, if not at once, drop all thoughts of violating the existing Treaties, and of expelling foreigners from Japan." It must be considered a great pity that the lack of prompt communication prevented a trial of this reasonable course of action.

The reply of the Roju to the protocol was not presented until June 30, and was, from the point of view of the foreign representatives, entirely unsatisfactory.[20] In regard to opening the Inland Sea, the ministers stated that they were considering this action, but that time would be required to carry out their arrangements, and they requested that for the present this matter be left to them to manage. As to the closing of Yokohama, they had explained fully the reasons for this through their envoys sent abroad. At this point

[19] Ibid., 56.

[20] P.P. 1865, Com. 57, p. 67; For. Rel., 1864, III, 528.

the interpreters of the American and British legations failed to agree. The American version gave the impression that the Japanese were still deliberating on this matter and hoped to tranquilize the public feeling, while the British translator considered the closing of the port to be the only plan calculated to calm the national feeling and restore good relations.

On receipt of this long delayed reply, the foreign representatives again considered the situation, and on July 5 came to the decision to open the Inland Sea if the government failed to do so within twenty days.[21] For this purpose there were available one American, fifteen British, four Dutch, and three French ships of war.

This decision was followed by the drafting and signing, on July 22, of a very comprehensive memorandum which restated the views already expounded by the British minister.[22] After agreeing that the punishment of Choshiu was the action best qualified to meet the exigencies of the hour, the representatives agreed to five principles which would serve as a basis for future cooperation: (1) the neutralization of Japan; (2) the maintenance of treaty rights; (3) the protection of the open ports against any attack, considered by them improbable, in consequence of any operations in the Inland Sea; (4) the determination not to ask

[21] For. Rel., 1864, III, 517.

[22] For. Rel. 1864, III, 528–533; P.P. 1865, Com. 57, pp. 62–66.

for or to accept any concession of territory or any exclusive advantage, in the open ports or elsewhere in Japan; (5) the abstaining from all interference in the jurisdiction of the Japanese authorities over their people, as well as from all intervention between the contending parties in the country.

They furthermore agreed that as soon as the naval commanders should report that they were ready to act, the representatives would each send an identical note to the Roju, covering certain specific points, among them that if within twenty days there was no change in the Choshiu situation the naval and military authorities would proceed to action without further notice; that they would not even discuss the closing of Yokohama; and that the non-fulfillment of the London Convention of 1862 would cause the powers to insist upon the immediate opening of Yedo, Osaka, Hiogo, and Niigata.

The framing of this extended statement had been the work of many days, during which the American minister was in Yedo, and before it was actually signed there seemed to be a chance that hostile operations might be avoided. It had been reported, by way of Nagasaki, that the Daimyo of Choshiu was willing enough to come to terms if the powers would approach him peacefully and consider his justification for his deeds.[23] Just at this time two young Choshiu samurai

[23] Pruyn MSS., July 19.

returned from England (where they had been sent by their daimyo to be educated) alarmed at the news which had reached them there of the threatened attack, and eager to convince their lord of the folly of opposing Great Britain alone, to say nothing of the combined fleet of the powers. Sir Rutherford and his colleagues believed that it would be wise to cooperate with these young men and to use them as despatch bearers to the obstinate feudal chief. Admiral Kuper agreed, and two British ships of war left Yokohama on July 21, to carry Ito Shunske and Inouye Bunda (later Prince Ito and Marquis Inouye) to Choshiu. Each of the four representatives sent letters of advice and warning to the daimyo.[24]

The youthful envoys landed at Totomi on July 26, and the two vessels cruised about, making surveys, and gathering information concerning the batteries, until August 6, when the Japanese returned with an oral answer from their lord.[25] It was to the effect

> that the hostile attitude of their lord was the result of orders received from the Mikado and the Tycoon, and that acting under these circumstances, he was unable to change his policy. Being, however, perfectly aware of the strength of the European Powers, and that it would be useless to endeavour to thwart their designs or refuse compliance with their demands, he requested a delay of three months, during which time he

[24] For. Rel., 1864, III, 534; P.P. 1865, Com. 57, pp. 72–73.

[25] P.P. 1865, Com. 57, p. 74.

would communicate with the Mikado, and endeavour to obtain the recision of the present orders.[26]

In private conversation the envoys stated

that their Daimio had been originally favourable to foreigners, but had gone too far now to retract, and that they did not believe the matter could be settled without war. They also suggested it as a good measure that the foreign Representatives should throw the Tycoon overboard, and going to Osaka, demand an interview with the Mikado's Ministers, and conclude a Treaty with him. They spoke with great bitterness of the Tycoon's Dynasty; that they kept all trade, not only foreign, but native also, to themselves by seizing all places where trade was likely to develop itself, as Nagasaki and Neegata; and they [said] that these feelings were shared by most of the people of the country.[27]

On the arrival of the ships at Yokohama, on August 10, after this unsuccessful mission, it was felt that the time for action had come.

It was at this time, while the joint expedition against Choshiu was pending, that the American minister was able to settle satisfactorily the claims which had been subject to dispute for many months. It will be remembered that the Japanese had rejected the claim for damages due for the burning of the American legation, on the ground that such a payment would be considered an acknowledgment that the government was responsible for the action of the incendiaries. Mr.

[26] The ships would not wait until a written statement to this effect from the daimyo could be procured.

[27] P.P. 1865, Com. 57, p. 75.

Pruyn had taken pains to show that the responsibility consisted solely in the failure of the Japanese guards to take proper precautions, rather than in any complicity of the government.[28] The Roju at first refused to accept this proposition,[29] a step which led Mr. Pruyn to assume that the claim had been finally rejected, and caused him to reply that the United States would demand the payment of all the expenses caused in enforcing these proper demands.[30] On the other hand a compromise was effected concerning another claim, and $1000 (Mex.) was paid as an indemnity in the case of George Horton.[31]

With the various claims unsettled, Mr. Pruyn decided that the only thing to do was to proceed to Yedo and deal directly with the Roju. In addition he proposed to strengthen his position by taking, for the first time, a guard of American sailors and marines with him into Yedo. This was done, not because of any fears for his personal safety, as he felt as secure in Yedo as ever, but because he felt that the presence of the foreign guards would serve to expedite his negotiations.[32] He had heretofore consistently been opposed to the landing of troops while his country was at peace with Japan, but the Roju had refused to

[28] May 24. For. Rel., 1864, III, 518.
[29] June 10. Ibid., 519.
[30] June 11. Ibid., 519.
[31] Ibid., 516.
[32] Pruyn MSS., July 12.

guarantee his safety in Yedo, and he felt that their disclaimer gave him the opportunity he needed to bring this pressure.[33] So on July 14, with the *Jamestown* lying off the shore, and with a guard of sixty-five marines and sailors, he again took up his residence in Yedo. During a pleasant stay of three weeks, marred by no threatening incidents, "not an unpleasant word or even an unfriendly look," and in which he entertained numerous guests, he brought all the outstanding questions to a satisfactory conclusion.[34] He received $10,000 in payment of the public and private losses at the burning of the legation; an agreement to pay by September 5, $11,200 as principal and interest on the *Pembroke* claim; an agreement that if the claims for damages to American citizens at Yokohama were not settled within thirty days, they would be submitted to the arbitration of the Emperor of Russia; and, finally, an agreement to rebuild the American legation and have it ready for occupancy at the close of the year.[35] Mr. Pruyn took especial

[33] Ibid., August 2.

[34] For. Rel., 1864, III, 541.

[35] For. Rel., 1864, III, 535–537. $11,200 is wrongly printed as $1,200. See Pruyn MSS., August 11, September 10. While Mr. Pruyn was in Yedo word was received that some batteries in Choshiu had on July 11 fired upon the little American steamer *Monitor,* which had put into a harbor there presumably to obtain wood or coal, water, and fresh provisions. He took up the matter with the Japanese governors for foreign affairs, but was willing to wait for further consideration until

satisfaction in the provision for the arbitration of the sole unadjudicated claim, and well he might. It marked the introduction of that principle in Japan, and by accepting it he felt that the government acknowledged the sanctions of international law.[36] But what an apparent contradiction existed,—at Yedo, the Roju accepting this advanced principle of international comity, and at Yokohama the foreign representatives formulating plans for maintaining, by the use of force, the treaty rights of the powers.

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As we have seen, no action would be taken under the memorandum of July 22 until the naval officers should have agreed to the feasibility of the proposed expedition. So on the return of the two British ships from Choshiu, on August 10, this preliminary step was taken. In requesting Captain Cicero Price, of the U.

they had received reports from the governor of Nagasaki. Mr. Pruyn was not disposed to make any claim in favor of the owners, as no damage had been done, because this ship had entered a closed port in Satsuma in 1863, "and it would be unwise to encourage owners of vessels brought to this country for sale, to enter the ports of hostile Daimios, or any ports not open to trade" (August 8, 1864. For. Rel., 1865, III, 517). The affidavit of the master of the *Monitor* is printed in P.P. 1865, Com. 57, pp. 69–70. When news of this attack reached Washington, the President suspended the departure of the steam gunboat *Fusiyama,* built at New York for the Japanese government (For. Rel., 1864, III, 596.

[36] The claim was settled without the necessity of arbitration. But in 1875 the Emperor of Russia arbitrated the case of the *Maria Luz* between Japan and Peru.

S. S. *Jamestown,* to attend a conference of the commanding officers, Mr. Pruyn stressed the importance of cooperation on the part of the United States (even though its force was insufficient) "either in the display of our flag in the inland sea, or in the defence of Yokohama."[37] The conference took place on August 12, on board the British flag-ship, and was attended by Vice-Admiral Kuper, Rear-Admiral Jaurès, Captain Price, and Captain de Marr, of the Dutch navy. They decided that they were prepared to act in conformity with the policy set forth in the memorandum, but that, as they would have to take the greater portion of the naval force and some of the troops, they would not leave Yokohama "until they shall have been relieved entirely by their respective ministers from all responsibility with regard to the defence and security of the settlement."[38]

The ministers considered this proposal, and on the 15th relieved the naval officers from all responsibility for the defence and security of Yokohama.[39] They furthermore requested them to proceed with all convenient speed to open the straits and to destroy and disarm the batteries, and informed them "that the political situation renders it desirable that there should be no considerable delay in the commencement of

[37] July 24. For. Rel., 1864, III, 546.
[38] Ibid., 547.
[39] Ibid.

operations." Even if Choshiu were intimidated and failed to fire on the fleet, the batteries were to be destroyed and such measures taken as would secure a material guarantee against any further hostilities on his part. The officers were also requested to enter into no negotiations with the prince, reserving all questions for the action of the Tycoon's government and the foreign representatives, and they were asked to avoid any demonstration in force in the vicinity of Osaka, lest it give rise to some new complication, "and in order not to change the character of this expedition, which ought to be regarded no otherwise than as a chastisement to be inflicted on an outlaw or a pirate."[40]

Two features of this new memorandum should be noted. In the first place the proposal in the memorandum of July 22 that a note identique be sent to the

[40] On this day Sir Rutherford Alcock delivered a memorandum to Takemoto Kai-no-Kami, a confidential official of the Shogunate, pointing out the futility of the anti-foreign policy of the government, and urging, instead, a policy of freer intercourse and unrestricted trade. It proposed, in order to meet certain causes of complaint, that ports be opened in the territories of daimyos who desired it, that all restrictions on the movement of goods into the open ports be withdrawn, that monopolies of trade and burdensome restrictions be removed, that a royalty or share of the customs receipts be paid to the Mikado, and that the ancient law against foreigners be removed. In return for these more cordial relations the treaty powers, or at least those now acting in concert, would guarantee the neutrality of Japan (August 12. P.P. 1865, Com. 57, pp. 75–79).

Roju giving it twenty days to settle the Choshiu difficulty, was now dropped, and the operations were to be promptly commenced. More important than this decision is the statement that the expedition was nothing more than a punitive one directed against an outlaw or pirate. In the past few weeks the situation had greatly improved at Yokohama. Probably no well informed foreigner believed for a moment that the Shogunate would lead any hostile campaign against the treaty powers. The expedition against Choshiu was now considered advisable in order to strengthen the hands of the Tycoon; it was carried through with the secret approval of his government; and its results were welcomed. As such it was primarily an interference in the domestic politics of Japan, and in addition it was expected to greatly improve the relations between the Shogunate and the treaty powers.[41]

[41] Pruyn to Seward, August 13, 1864. At an interview with Takemoto Kai-no-Kami and two other Japanese officials that day, Pruyn informed them "that this expedition was not an act of hostility to his [the Tycoon's] government, but for its maintenance, and in the interests of peace, which I and my colleagues were satisfied could thus be more effectually secured" (For. Rel. 1864, III, 542). "I believe he [the Tycoon] would have been hurled from power if we had not crushed the hostile party" (Pruyn MSS., September 30, 1864; see also August 12, August 25). About this time Alcock received a letter from an unknown Japanese which gave a very accurate summary of the internal situation and urged that Choshiu be

It was arranged, therefore, that the allied expedition should leave Yokohama on August 20. The only American ship of war in Japan was the sailing ship *Jamestown,* which would have had to be towed to Shimonoseki and which would have been useless during the operations there. In order that the American flag might be represented in the fleet, Mr. Pruyn and Captain Price chartered the little American steamer *Ta-Kiang* (600 tons), placed a 30-pound Parrott gun and eighteen men from the *Jamestown* on board, and hurriedly prepared her for the voyage.[42] Although the

punished. It was written before the Kyoto coup of August 20 (P.P. 1866, Com. 76, pp. 232–234).

For the usual interpretation of this section see Moore, V, 750. "The proceedings of the treaty powers in this instance were not intended nor considered as an act of interference in the political affairs of Japan. Their object was the enforcement of treaty rights, with the approval of the government that granted them; and the effect which the expedition may have had on the fortunes of parties in Japan was purely incidental." It has been shown that the passage of the straits was a doubtful treaty right, and that Great Britain had no desire to enforce it. There is every reason to believe that the straits could have been opened in the fall of 1864 without striking a blow. For the wrong done by Choshiu in firing on the foreign ships the clan had been punished by the *Wyoming* and the French force. A careful study of all the steps leading to the expedition has convinced the author that the real object was that cited in the text,—to strengthen the Tycoon through the punishment of the most active of the hostile daimyos, and as such it was a logical development of the Anglo-French offer of 1863.

[42] She was referred to in Congress later as a "Chinese junk."

Japanese government had given its assent to the expedition in its eagerness to have Choshiu, the most recalcitrant of the daimyos, punished, it arranged that a deputation from the Roju should wait upon the foreign representatives on the 19th and request that the operations be abandoned, to whom the ministers were to reply that no further delay was possible.[43] Early that morning the European mail-steamer entered the port with the Japanese flag at the fore, and all were amazed to learn that the envoys, who had left for Europe in February, had unexpectedly returned, having signed a convention in Paris, but without visiting any other capitals.

Before the envoys had reached Europe the treaty powers had agreed, at the instance of Great Britain, that they would not even consider closing the port of Yokohama.[44] The envoys were informed of this in Paris and decided that it would be useless to proceed further, so after several conferences with M. Drouyn de Lhuys, the French minister of foreign affairs, they signed a convention on June 18, and promptly departed for Japan. This convention[45] bound the Tycoon (still spoken of as "His Majesty the Emperor of Japan") to pay, within three months after the return of the

[43] For. Rel., 1864, III, 542. Minutes of this conference in P.P. 1865, Com. 57, pp. 81–82.

[44] P.P. 1865, Com. 57, pp. 7, 11, 12, 17. Russell's note to the British ministers abroad is dated April 20.

[45] Ibid., 25–27.

envoys, an indemnity of 140,000 Mexicans piastres for the attack upon the *Kienchang,* of which 100,000 would be paid by the Tycoon's government and 40,000 by the authorities of Choshiu; secondly, to open the Straits of Shimonoseki within the same period and to maintain them free at all times, "having recourse, if necessary, to force, and, in case of need, acting in concert with the Commander of the French naval division;" finally, to reduce the tariff on certain articles,—these being, however, covered by the reductions made in January and already mentioned. At the same time the envoys paid an indemnity of $35,000 for the family of Lieutenant Camus, and promised that the government would take all measures necessary to arrest and punish his murderers.

The news of this convention was most disappointing to both Japanese and foreigners. It bound the Japanese to do something which they could not do, and it withdrew the French from the concert of the treaty powers. The government frankly wished that their envoys had been drowned, and in fact promptly punished them, and the foreign ministers had to countermand the sailing orders of the fleet, pending the ratification of the convention by the Tycoon.[46] They at once addressed letters to the Roju asking whether the Tycoon would ratify the convention and was prepared to open the Inland Sea.[47] To this the Roju

[46] For. Rel., 1864, III, 548.
[47] August 19. Ibid., 548.

replied with unusual promptness by a messenger on August 24 and by letter on the evening of the 25th,[48] that the Tycoon had resolved to annul the convention. The foreign representatives therefore met in conference on the afternoon of the 25th and drafted a new memorandum.[49] This called upon the naval commanders to proceed, with as little delay as possible, to open the straits. But it went further than that, and requested them to seize some important position in or commanding the Straits of Shimonoseki and to hold it as a guarantee that an indemnity should be paid by Choshiu to cover the expenses of the expedition, "and until possession can be given to the Tycoon, or authorities deputed by him, of the whole line of territory coasting the straits now appertaining to the Prince of Nagato." As there was a possibility of securing an open port in or near the straits, the naval officers were requested to furnish such information as they could gather concerning Shimonoseki and the other ports. The indemnity mentioned above was to cover the costs of the joint action, and was not to prejudice the right of each power to prosecute claims arising out of separate grievances.

With these instructions, the commanders soon had their forces in order, and on the 28th and 29th of August the expedition of seventeen ships put out from

[48] Ibid., 549.
[49] Ibid.

Yokohama. On the latter day the foreign representatives sent in their long delayed identical notes to the Roju, which pointed out that as the Tycoon was unable to punish Choshiu, the treaty powers would have to do so; that they refused to entertain any proposition looking toward the closing of Yokohama; and that the Tycoon would be held responsible for any disturbances there during the absence of the fleet, and the responsibility would be enforced by reprisals, not merely at Yedo, but at Osaka and Kyoto.[50] This note must be considered as designed for general consumption, for a perfect understanding existed between the foreign and the Japanese officials. One of the latter had informed the representatives that in order to keep the daimyos quiet while the expedition was away the government would send another embassy, which would, however, go only as far as Shanghai.[51] On September 1, after the fleet had left, some members of the Foreign Office called upon the ministers to go through the farce of asking that the vessels should not sail.[52] Mr. Pruyn wrote at the time: "Everything remains quiet here. . . . No stranger would suppose that war was actually in progress in any part of the country."

[50] For. Rel., 1864, III, 550.
[51] Pruyn MSS., August 25.
[52] Pruyn MSS., September 2.

Before the fleet had sailed, news had reached Yokohama of remarkable developments at Kyoto just at this time.[53] Late in July certain ronins and anti-foreign samurai had gathered in Choshiu and organized themselves into bands of irregular troops (Kiheitai). They determined to proceed to Kyoto, drive away the hostile officials, and force the court to pardon Choshiu and the exiled court nobles.[54] By the end of July these bands had reached the environs of Kyoto, and had been reinforced by clansmen who had fled from the city. The irregulars now sent up petitions to the court, praying for the pardon of Choshiu, his son, and the nobles, and for a renewal of the campaign against the foreigners. In Kyoto opinions differed as to what should be done, but the Tokugawa officials were resolute in advocating the severe punishment of these threatening bands. The Mikado, under their influence, refused to answer the petitions. On July 30 some of the troops moved nearer to Kyoto, a proceeding which caused much excitement in the city, the closing of the Nine Gates of the palace, and the rushing to their posts of the Tokugawa retainers. In the meantime the Daimyo of Choshiu had sent up two of his karo (officials) with bodies of troops, presumably to keep the irregulars in order, but

[53] News reached Yokohama on August 26 (Heco, II, 59; P.P. 1865, Com. 57, pp. 89–92.

[54] Japan, 1853–64, pp. 147–239.

their arrival enraged the anti-Choshiu faction at the capital. Although many of the court nobles opposed the decision, yet the Shogunate officials, supported by some of the high court officers, secured an edict from the Mikado, on August 19, that the clansmen who had come up to Kyoto, and the Choshiu provinces from which they came, should be severely chastised for their attempt to intimidate the imperial court. This edict made civil war inevitable. The next morning the various bodies of Choshiu clansmen hurled themselves upon several of the palace gates, presumably to punish and destroy the Daimyo of Aidzu, military governor of the city and leader of the Shogunate partisans there, and hostile to Choshiu, but actually to secure control of the Mikado. The fighting lasted all day, clansmen of Aidzu, Kuwana, Echizen, and Satsuma being in opposition to those of Choshiu. The latter were defeated and driven out of the city, while a fire, started during the fighting, destroyed the greater part of the imperial capital. This ill-timed and unsuccessful coup caused Choshiu to be outlawed, made possible a strong demonstration of Tokugawa retainers as a punitive expedition, and seemed to mark the speedy destruction of that aggressive anti-Shogunate house. It should be noted that the defeat came just before the visit of the joint expedition to Shimonoseki. It is not unreasonable to believe that its far-reaching effects might have rendered the

foreign demonstration quite unnecessary. In fact the imperial court promptly deprived the Mori family and its branches of all its titles, and issued orders that the clan be punished. Some twenty of the clans were ordered to put troops in the field, and the Lord of Owari was appointed commander-in-chief.[55] As the clansmen were unwilling to cooperate with the foreign fleet against Choshiu, the Yedo authorities begged that the fleet be recalled.[56] But while the discussion was going on at Yokohama, the fleet was carrying out its orders at Shimonoseki.

The joint expedition which sailed from Yokohama on the 28th and 29th of August consisted of nine British, four Dutch, three French, and one (chartered) United States steamer.[57] The whole squadron assembled at the appointed rendezvous in the Inland Sea and proceeded to the Straits of Shimonoseki. No attempt was made to negotiate with Choshiu, and the attack upon the batteries was commenced by the British flag-ship on the afternoon of September 5, when five batteries were silenced, and a landing party spiked most of the guns in one of them. The next morning the action was resumed, and a party of British, French, and Dutch sailors and marines assaulted and took possession of the eight principal bat-

[55] Japan, 1853–69, p. 61.

[56] Pruyn MSS., September 10.

[57] Vice-Admiral Kuper's report, September 15, in P.P. 1865, Com. 57, pp. 99–103.

teries, and after spiking the cannon and destroying the magazines, returned to the ships. On the 7th, landing parties brought off the guns captured the day before, and on the 8th, the two remaining batteries were silenced and their guns taken off, sixty-two pieces of ordnance being eventually taken away. While this was being done, an envoy of the daimyo appeared, under a flag of truce, and sought to negotiate for a termination of hostilities.[58] He brought a letter from his lord stating that henceforth the straits would be unobstructed, and he offered copies of letters to show that in firing upon the foreign ships the daimyo had acted under the direct orders of the Mikado and the Tycoon.[59] The admirals determined that before any discussion could take place they must receive a written request from the daimyo, and two days were allowed for this to be secured, during which an armistice was declared. On the 10th the chief councillor of the daimyo came on board and presented identical despatches for each of the four commanders.[60] In this letter the daimyo stated that, when he learned of the foreigners' demands, through

[58] P.P. 1865, Com. 57, p. 113; For. Rel., 1864, III, 578.

[59] These letters were printed in P.P. 1865, Com. 57, p. 113, but the date decreed for ceasing communications with the barbarians (10th day of the 5th month) was wrongly translated as June 20, instead of 25, 1863, thus occasioning much confusion in later documents and secondary accounts.

[60] P.P. 1865, Com. 57, p. 114; For. Rel., 1864, III, 558.

the letters brought by Ito and Inouye in July, he had sent his son to Kyoto to learn the Emperor's will, but the conflict of August 20 caused the latter to turn back before his mission was accomplished. He then sent two of his retainers (one of them was the late Prince Ito) to the rendezvous of the fleet to notify the admirals that he would not offer any opposition to the passage of the straits, but unhappily the fleet had already departed.[61] He then said: "I felt no enmity towards you, nor did I wish to bring disaster upon my own people. My sole desire is that you will grant peace." And the karo who brought this message stated: "My Prince's feelings are exactly the same as your own. He not only wishes a cessation of hostilities, but is also desirous to have intimate relations with you."[62]

Although the admirals desired to negotiate directly with the daimyo and his son, the former wrote that in view of the affair that had recently taken place in Kyoto they had gone into retirement.[63] Two of the chief councillors met with the two admirals on the 14th and drew up the following agreement: (1) All ships of all countries passing through the straits would be treated in a friendly manner; they could purchase supplies; and in stress of weather their

[61] If this letter had been delivered there might have been no hostilities.

[62] P.P. 1865, Com. 57, pp. 114–116.

[63] Ibid., 117.

people could land at Shimonoseki; (2) no new forts would be built, nor the old ones repaired; (3) a ransom would be paid for the town of Shimonoseki which "might justly have been burnt," and the whole expenses of the expedition would be defrayed by the prince.[64] This agreement was ratified by the daimyo and his son.

Admiral Kuper was convinced of the inexpediency of holding a position in or near the straits, as desired by the ministers, and therefore returned to Yokohama, leaving three vessels at Shimonoseki for a few weeks, as a guarantee against any immediate infraction of the terms of the agreement.

The joint naval demonstration at Shimonoseki had been a great success. The batteries had been destroyed, their cannon carried away in triumph, the straits opened, and the daimyo humbled, and all this had been accomplished with the loss of only twelve killed, fifty-six wounded, and one missing, in the allied squadron.[65] It must be remembered, however, that the position in 1864 of the lord who was punished was very different from that which he possessed when he gave the offense in 1863. Then he was high in influence at the imperial court, and leader of the western daimyos in their opposition to the Shogunate and, nominally, to foreigners. Now,

[64] Ibid., 119.

[65] P.P. 1865, Com. 57, p. 111.

after the events of September 30, 1863, and August 20, 1864, he was a discredited outlaw, with every man's hand against him, crushed by an imperial edict which deprived him of his titles and called upon the Shogun and his vassals to punish him. Naturally the Yedo authorities were much gratified at what had been done, although somewhat mortified "that so little valor and capability of resistance had been displayed."[66] With the batteries demolished and stripped of their cannon, the punitive expedition of the twenty-one daimyos could now hardly fail.

This was the second and the last time an American ship of war took part in hostilities in Japanese waters, the next participation of American forces in joint operations in the Far East coming thirty-six years later, during the Boxer Rising in China. The little chartered steamer *Ta-Kiang,* proudly floating the American flag, was by no means an idle spectator of the stirring events at the straits. The big Parrott gun did good service; the light draft of the vessel enabled it to be used to tow boats with landing parties in to the shore; and all the wounded were taken on board the ship and conveyed to Yokohama.[67]

The gratification of the four representatives at Yokohama was tinged with misgivings because of

[66] For. Rel., 1864, III, 553.

[67] The men from the *Jamestown* who served on the *Ta-Kiang* received prize money (Appendix).

the despatches which reached Sir Rutherford Alcock while the fleet was still at Shimonoseki. Among them was Earl Russell's of July 26, which laid down a policy of moderation, based on Mr. Pruyn's ideas, and which stated that he advocated a concert of the powers in favor of this plan. So on September 28 Alcock framed two despatches, one which told of the remarkable success achieved at Shimonoseki, and the other which would serve as a vindication of the course he had pursued.[68] Sir Rutherford took up every point in Russell's despatch and maintained that he had anticipated each one "in a great degree, if not in every particular." Thus, whereas Russell had held "that while a prosperous trade is carried on it would be unwise to snap asunder the chain of friendly relations, and to make war for the sake of forestalling war," Alcock replied that the trade in silk at Yokohama had been stopped for some two months before it was finally resolved to send the expedition to the Inland Sea. It should be observed that there is no specific reference to this interference with the silk trade in the long memorandum of July 22, nor did Alcock mention it in any despatch to Earl Russell until that of September 7, where the statement is based upon the complaint of a dealer in Yokohama of September 6.[69] The trade in cotton and tea had

[68] P.P. 1865, Com. 57, pp. 111, 119–122.
[69] P.P. 1865, Com. 57, pp. 89, 92.

not at that time been affected. But Earl Russell's full approbation of Alcock's conduct, expressed on December 2, was primarily on the ground of the interference with the silk trade. On this point the despatch should be quoted:

> Your despatch of the 28th of September is a successful vindication of the policy you have pursued.
>
> My despatches of the 26th of July were written with a view to discourage the interruption of a progressive trade by acts of hostility, and to forbid recourse to force while the Treaty was generally observed. Those despatches you will understand remain in full force.
>
> But the documents you have sent me, which arrived by the last mail, show that the silk trade was almost wholly interrupted by the Tycoon, who seemed to be preparing to abet or to abandon the project of driving out foreigners according to the boldness or the timidity of our demeanor.
>
> In this position there could be no better course than to punish and disarm the Daimio Prince of Nagato.[70]

With the arguments used by Alcock in his vindication we are familiar: that the operations were conducted with the Tycoon's assent; that it was necessary to punish Choshiu, the outlaw and common enemy of civilized nations, and to strike a blow at the leader of the anti-foreign daimyos; that this was the best way of encouraging and supporting the Tycoon and the daimyos favorable to foreign trade—witness the prompt removal of the restrictions on silk; and that it was the only effective way to protect Yokohama from hostile operations.

[70] Ibid., 127–128.

Mr. Pruyn also prepared a despatch justifying his conduct, in which he stated: "It is my belief that the result of the expedition to the straits of Shimonoseki has greatly contributed to, if it has not secured, altogether, our safety in Japan."[71] Nothing was said in this despatch about the silk trade; instead it was pointed out that the operations were really designed to sustain the Tycoon's government, "which, if prostrated, would leave us without a friend, and liable to be involved in the struggle which would ensue.[72] The best place to defend the open ports was, therefore, manifestly at the straits of Shimonoseki, where the strength of the hostile party might be broken before it was ready to be precipitated on these ports." In this despatch Mr. Pruyn brought out very clearly the real situation: "Though the treaties are to some extent the cause of trouble in Japan, they are, to a much greater extent, the pretext eagerly embraced by intriguing and ambitious Daimios, some of whom are known to aspire to the Tycoonship, each hoping that, with the fall of the Tycoon, and the favor of the Mikado secured, that high position would not be beyond his reach." On the receipt of this despatch Mr.

[71] October 12. For. Rel., 1864, III, 553–558.

[72] An evidence of the temporary restoration of the Tycoon's power was the order of September 30, cancelling the one of 1862 which relieved the daimyos from residence in Yedo (ibid., 577).

Seward, on December 14, expressed the President's full approval.[73]

With the return of the victorious squadron the representatives proceeded to consolidate the good results of the demonstration. On September 18, the day after the first news had reached Yokohama, the four ministers held a conference with three of the Yedo officials, led by Takemoto Kai-no-Kami, the principal governor of foreign affairs and confidential agent of the Tycoon, who had acted as the chief Japanese negotiator in all these meetings.[74] This conference brought out the fact that the defeat of Choshiu had tremendously strengthened the Tycoon, and that he would no longer have to temporize and equivocate in his dealings with the treaty powers. The French minister advised that the Tycoon now secure the sanction of the Mikado to the treaties, and even asked if the Mikado might not receive the foreign representatives at Kyoto. His British colleague pointed out that the time had come for the Tycoon to give up once and for all his temporizing policy, and that either the authority of the Mikado and the Tycoon must be reconciled, or the powers would have to find some other means of securing their rights than through the Tycoon. Mr. Pruyn in turn suggested that the Straits of Shimonoseki be placed under the

[73] For. Rel., 1865, III, 229.

[74] P.P. 1865, Com. 57, pp. 122–125.

Tycoon, and that possibly some port there be opened.

On September 23 Takemoto Kai-no-Kami returned with a message from the Roju to the effect that they had finally resolved to abandon their double-faced policy and henceforth to make not even a pretence of closing Yokohama, and that they would send one of their number to Kyoto to inform the Mikado of this decision and to "obtain his sanction to the public renunciation of such a policy, and, if possible, his acceptance and ratification of the treaties."[75] In the meantime they begged that the foreign ships be withdrawn from the straits, as they interfered with the Tycoon's operations against Choshiu. It was suggested that this might be done if the Tycoon would enter into negotiations either to pay the indemnities promised by Choshiu, or to open Shimonoseki or some more convenient port in the vicinity, at the option of the treaty powers.

It was peculiarly gratifying to the American minister to find his colleagues at last adopting a policy which he had urged, even to the details, on June 27, 1863.[76] Mr. Seward had promptly taken up with the treaty powers the desirability of securing the Mikado's ratification of the treaties, but the plan had been rejected by Great Britain on November 10, on the ground that the power and the right to make

[75] For. Rel., 1864, III, 565–567.

[76] Pruyn MSS., October 10, 1864.

treaties resided in the Tycoon, as stated by Satsuma's envoy to Colonel Neale at Kagoshima.[77] Now the wisdom of this step was self-evident. Before the ministers went up to Yedo for their conferences with the Roju, letters to the Tycoon were drafted by Pruyn, Alcock, and Roches, urging him to secure the Mikado's ratification of the treaties.[78]

At the first conference in Yedo, on October 6, the Roju agreed unconditionally to pay the indemnities promised by Choshiu, but they could give no promise as to the opening of a port there, pending the outcome of the mission of one of their number to Kyoto, They agreed to make every effort to secure the Mikado's ratification. The next day a conference of a more confidential nature took place, attended by only the British and American ministers, as representatives of their colleagues.[79] At this meeting the Roju agreed to the appointment within eight days of plenipotentiaries to arrange the details of the promised indemnities. Alcock then developed his plan for conciliating the Mikado and the daimyos by permitting them to share the profits of the foreign trade, and

[77] P.P. 1865, Com. 57, p. 19; For. Rel., 1863, I, 420, lviii–lix. Lord Palmerston stated in the House of Commons on February 9, 1864, that there was no doubt "as to the binding nature of the treaty as having been made only by the Tycoon" (Hansard, vol. 173, p. 416).

[78] October 4, 5. For. Rel., 1864, III, 559–561.

[79] Ibid., 569–575.

pointed out that if the treaties were not ratified the powers would insist upon their full execution, including the opening of the cities and ports. On their ratification, moreover, he would send away the British troops at Yokohama, no longer necessary to meet the hostility created by the Mikado and the daimyos. He suggested, as Mr. Pruyn had done a year before, that while these negotiations were going on at Kyoto, the foreign representatives should proceed to Osaka with a portion of the squadron, but the Roju objected to this as liable to be construed by the Mikado and the daimyos as an attempt to coerce the Mikado with foreign aid. Alcock further suggested that thirty days be set in which to obtain an answer from Kyoto, and the Roju hoped that this period would suffice. Other subjects of discussion were met in the same conciliatory manner, and the Roju promised to remove all interference with the silk trade, to take up certain matters concerning the improvement of Yokohama, to permit the export of silkworm eggs, and to consider granting the legations another site in Yedo, in lieu of Goten-yama.

Shortly after the representatives returned to Yokohama, the ships left at Shimonoseki returned, and on the British vessel were four Choshiu officials, sent to explain the hostile deeds of their lord and to urge indulgence in the matter of the promised indemni-

ties.[80] On August 10 the chief envoy had an interview with Alcock and Pruyn, and stated his case.[81] It was a strong defence of Choshiu, for it stressed the unsuccessful attempt of the daimyo to secure the withdrawal of the Mikado's edict, "and thus the prince's good intentions in respect to foreigners had been frustrated." In regard to the indemnity, the envoy was told that the Tycoon's government had agreed to assume the responsibility and to pay it. As in the case of Satsuma, only one lesson was necessary to teach Choshiu the futility of opposing the treaty powers.

The plenipotentiary promised by the Roju came to Yokohama before the appointed time, and a convention was agreed upon on the 12th, which was signed by the four foreign representatives and Sakai Hida-no-Kami on October 22.[82] The preamble, which was

[80] Typical of Mr. Pruyn's generous attitude and of his sound judgment is his reference to this humbled daimyo: "I must confess this prince has my sympathy; an open foe is much preferred to a deceitful and doubtful friend. He has acted with consistency, vigor, and boldness. He now desires peace, and his past history will probably prove a guarantee for his future sincerity. If, as I think is highly probable, he shall escape the destruction now threatened [by the Tycoon's punitive expedition], perhaps, on payment of a large fine, little damage need be apprehended from his open hostility, and probably as little from his secret opposition" (Pruyn to Seward, October 12, 1864, in For. Rel., 1864, III, 557).

[81] Ibid., 575–577.

[82] Ibid., 583.

of especial significance, was framed by the American minister.[83] It stated that

> the representatives of the United States of America, Great Britain, France, and the Netherlands, in view of the hostile acts of Mori Daizen, Prince of Nagato and Suwo, which were assuming such formidable proportions as to make it difficult for the Tycoon faithfully to observe the treaties, having been obliged to send their combined forces to the Straits of Simonoseki in order to destroy the batteries erected by that Daimio for the destruction of foreign vessels and the stoppage of trade, and the government of the Tycoon, on whom devolved the duty of chastising this rebellious prince, being held responsible for any damage resulting to the interests of treaty powers, as well as the expenses occasioned by the expedition. . . .

It fixed the amount payable at $3,000,000, to include all claims for indemnities, ransom, or expenses, payable in six quarterly instalments of $500,000 each, beginning from the date when the representatives should advise the Tycoon's government of the ratification of the convention and of their instructions. Finally, "inasmuch as the receipt of money has never been the object of the said powers, but the establishment of better relations with Japan, and the desire to place these on a more satisfactory and mutually advantageous footing is still the leading object in view," therefore if the Tycoon preferred to offer in place of the indemnity the opening of Shimonoseki or some other eligible port in the Inland Sea, the powers

[83] Pruyn MSS., October 31.

would have the option to accept the port or insist upon the money payment.[84]

It will be observed that this convention said nothing about the proposed ratification of the treaties by the Mikado. That matter was considered to be well understood after the friendly conferences at Yedo. The determination of the amount of the indemnity was interesting. Mr. Pruyn had already received $11,200 in payment of the claim of the *Pembroke.* The Japanese envoys had promised, in Paris, to pay $140,000 for the attack on the *Kienchang,* but that convention had been annulled by the Tycoon. It was felt that this amount should serve as a standard for appraising the indemnities for firing upon the national ships of the United States and the Netherlands. Beyond that, Alcock and Pruyn thought that the balance of any indemnity should be divided in proportion to the force sent to the straits by each of the powers.[85] So they advocated a lump sum of $2,000,000, to be divided as follows: Great Britain $1,000,000; France $440,000; Holland $290,000; and the United States $270,000.[86] The French minister, on the other hand, won approval of his suggestion that the sum be fixed

[84] The ministers believed that the port might be accepted in either full or part payment of the indemnity (For. Rel., 1864, III, 582).

[85] Ibid.

[86] Pruyn MSS., October 31. Pruyn's first estimate for the United States was $150,000 for indemnities and $20,000 for expenses (Pruyn MSS., October 10).

at $3,000,000, and that its division be left to the home governments, in case an indemnity was paid instead of a port being opened.[87] A memorandum to this effect was drawn up by Mr. Pruyn, which provided also that at least $140,000 be paid to the United States, France, and the Netherlands before the other distribution was made, and this agreement was signed by the four representatives on the 22d. The French minister also thought that the moral support given should be taken into account; and as the United States had given more moral than material support, Mr. Pruyn agreed with him, but this principle was not incorporated in the memorandum. It was believed at the time that the distribution would be on the basis of the ships and men on duty in Japan.

With the signing of this convention it was felt that all the perplexing questions arising out of the Shimonoseki affair had been settled, but in the sequel the Shimonoseki convention, as it was called, was to occasion no little controversy.[88]

[87] Pruyn approved the larger sum because he thought the demand for it would be more likely to induce the Tycoon to open a port instead of paying it.

[88] Alcock received his letter of recall on October 10, just before the convention negotiations began. He wrote Mr. Pruyn that he would turn his steps homeward "very joyfully," for "I have done the work I came out determined to undertake, and I never could retire at a happier moment" (Pruyn MSS., October 10). Mr. Pruyn believed that the British government was "afraid of the Peace party as a general election is approaching and so he will be home ready for the meeting of

Parliament and to be offered as a sacrifice if needful." He also felt sure that "a great triumph awaits him. There is nothing so successful as success and the Ministry will be obliged by public sentiment to make ample atonement to one who has aided so much in gratifying the national pride and also in the improvement of business" (Pruyn MSS., October 12). The Japanese minister for foreign affairs on October 27 addressed Earl Russell asking that Alcock be sent back to Japan, and spoke of the deep regret with which he had learned of his approaching departure. Alcock's reply to his letter of recall is dated November 19, 1864, and is a lengthy consideration of his proceedings and defence of his conduct (P.P. 1865, Com. 57, pp. 148–154). To this Earl Russell replied on January 31, 1865, stating that "the energetic course you pursued in concert with the Representatives of the other Treaty Powers in these altered circumstances has been entirely approved by Her Majesty's Government." Russell also wrote that he would wish Alcock to return to Yokohama after he had reported on the present state of affairs in Japan (ibid., 155). Instead, he was promoted to the post at Peking. Sir Harry Parkes, who met Alcock at Hongkong, on his way home, wrote as follows: "He is full of talk and feels very jolly, because satisfied that he is in the right and the Government is in the wrong, in which I entirely agree, and they will have to indemnify him in some way for his recall. He left home with full sanction of the Government to employ force to bring the recalcitrant daimios to book whenever he could get a chance and force. A battalion of marines and a regiment of infantry, in addition to the whole navy of the station, were furnished him for this express purpose. But when the Manchester party raised an outcry against the first symptom of force being employed, the Government would not declare that they had authorized the course, but as a sop to Bright and Cobden recalled their Minister. It is . . . unlike Lord Palmerston, who has always backed his men; but he is not in the Foreign Office and has to give way to his colleagues occasionally, I fancy" (Dickins and Lane-Poole, I, 478).

CHAPTER XI

The Mikado Ratifies the Treaties

As a military operation the opening of the Straits of Shimonoseki had been an unqualified success. As far as could be seen at the time, it had been a great political success as well. The Tycoon had certainly been strengthened in his position, and most of the difficulties in the way of improved foreign relations had been apparently removed. But was the success as real as it was apparent? In little more than three years the Shogunate was to pass away, and in the new government Choshiu was to play a prominent rôle, which the clan plays even to this day. The operations, therefore, did not save the Shogunate, nor did they destroy Choshiu. Their effect was, for a time, to stem the current which was flowing strongly in favor of the imperial restoration; but bombardments and memoranda, protocols and conventions, could not for long save the doomed Shogunate.

The first fruit of the improved relations was the report that the Mikado was now in full accord with the foreign policy of the Tycoon. A vague statement to this effect was sent to each of the ministers on November 22, by Abe Bungo-no-Kami, the member of

the Roju who had just returned from Kyoto.[1] On being returned by them as not explicit enough, it was again transmitted, with a confidential note to the effect that as soon as Choshiu and the hostile parties were punished, the Mikado would be informed, and a definite arrangement would be made.[2] Although the ministers had hoped for the formal ratification of the treaties by the Mikado at this time, yet they felt that much of practical value had already been gained.[3]

This good understanding between the Yedo authorities and the foreign representatives was suddenly jeopardized by another atrocious murder on the part of irreconcilable ronins. Two British officers, Major George Walter Baldwin and Lieutenant Robert Nicholas Bird, of the 20th Regiment, stationed at Yokohama, were cut down by two ronins on November 21, 1865, near the Daibutsu image at Kamakura.[4] One was evidently instantly killed, and the

[1] For. Rel., 1865, III, 231.

[2] For. Rel., 1865, III, 232.

[3] "The explanation given is perfectly Japanese. The Mikado was never seriously opposed to foreigners and did not contemplate their exclusion and thought the Tycoon would understand his decree was only issued for effect at home and not to be acted on. And the Tycoon unfortunately not comprehending this, and believing the Mikado in earnest felt himself obliged to carry out those orders though fully sensible that he would fail in his efforts. What can you do with such a government?" (Pruyn MSS., November 19, 1864).

[4] P.P. 1865, Com. 57, Japan, No. 2, No. 3.

other lingered until evening. The assassins made good their escape. Such were the facts. Great was the indignation at Yokohama, and genuine was the horror and regret of the Roju. But a better appreciation of the difficulties in which the Shogunate was involved now prevailed, and no attempt was made to hold the government responsible for the acts of these fanatics. The crime was a more brutal and less explicable one than the murder of Richardson, but the day of enormous indemnities and sporadic bombardments had passed. Sir Rutherford Alcock, in dealing with this tragedy, followed the principles laid down by Townsend Harris in 1861, and it must have given the American ex-minister some pleasure to read Alcock's despatch to Earl Russell of December 23. After pointing out the difficulty of arresting such criminals, especially in a feudal state like Japan, he added:

> These are perplexing and difficult conditions to deal with; and as nothing can ever be gained by insisting upon impossibilities, even if such a course could be defended as just or right, I am disposed, while pressing our demands for full justice to be done and urging the utmost diligence and energy in the pursuit of the murderers, to accept what has been already done as a satisfactory instalment. I believe it may be all that, with the best good will, they have hitherto been able to effect.

On its part the Shogun's government, strengthened by the good accord with the Mikado and by the foreigners' punishment of Choshiu, made strenuous efforts

to arrest and punish the offenders. The governor of Kanagawa was, on the advice of the British minister, dismissed because of his delay in reporting the crime. On December 16 two ronins were publicly executed in Yokohama as accomplices of the assassins, although the charge against them was that they compelled certain farmers to contribute funds for the purpose of exterminating the foreigners and expelling them from Yokohama. At the same time the government posted proclamations ordering the arrest or destruction of assassins of Europeans in the future, and holding the communities responsible for any failure to report traces of fugitives.[5]

A few days later one of the actual assassins was arrested and was beheaded on December 28, in the presence of a large body of Japanese and almost the whole foreign community. Two battalions, of the 20th Regiment and the Royal Marines, and half a battery of Royal Artillery were drawn up in a square around the execution ground. The foreign representatives were invited to be present, but the American, British, and French officials refused to attend, as it would be regarded by the Japanese as a degradation and might give the impression of vindictiveness. The Dutch consul-general, who had not learned of this decision,

[5] Both Alcock and Pruyn took credit for this proclamation (P.P. 1865, Com. 57, Japan, No. 3, p. 3; Pruyn MSS., December 17, 1864).

was present. This was the first time that a two-sworded man had been publicly executed for an attack upon a foreigner. It was indeed a sign of bettered relations; but more blood was to flow before the misguided patriots could be brought to sheath their fatal blades.[6]

About this time two internal disturbances which had threatened the authority of the Shogunate and taxed its resources were brought to what seemed to be a successful termination. One was the Mito civil war, which arose out of clan politics of some years before, and which culminated in the fall of 1864 in a little civil war in the fief, in which one side rallied to its support those who favored the anti-foreign views of the late Ex-Lord of Mito.[7] The Shogunate sent troops to the support of the party in power, then advocating liberal foreign policies. It was this campaign which prevented the Tycoon from moving against Choshiu as promptly as he would have liked. The strife came to an end in January, 1866, with the sur-

[6] In reporting these murders to Earl Russell, Alcock spoke of "the long series of barbarous murders in which foreigners have been the victims," and references to "the long and dismal list" were frequent at the time. In fairness it must be said that in more than five years since Kanagawa had been opened eleven Europeans had been murdered. In view of the bitter hostility to the Europeans and to the Shogun's foreign policy, this number must be considered amazingly small.

[7] Clement, "The Mito Civil War," in Trans. As. Soc., vol. 19, part II.

render to the Daimyo of Kaga of the "Righteous" (anti-foreign) party, and with the execution of seven hundred and twenty-nine of the prisoners early in March.[8]

The punitive expedition against Choshiu achieved an easy but a temporary success. Under the command of the Ex-Lord of Owari the forces of twenty-one daimyos moved to the frontier of Choshiu and "demanded an explanation." Within the clan a coup d'état had been effected, and the faction opposed to the former policies was now in control.[9] It therefore caused the three karo who had taken part in the Kyoto emeute to commit hara-kiri and sent their heads to the commander-in-chief, who transmitted them to the Mikado. The daimyo and his son were confined in a temple, and certain other officials were placed in domiciliary confinement. Five of the seven kuge, who had fled to Choshiu in 1863, were surrendered and were placed in the custody of Satsuma, Chikuzen, and Higo. After these manifestations of repentance, the punitive expedition retired to Osaka, in February, and it was felt that final sentence would be pronounced after a consultation between the Mikado and the Shogun. That the western daimyos would not approve of the destruction of the house of Mori was generally believed.

[8] P.P. 1866, Com. 76, p. 12.
[9] Japan, 1853–69, pp. 69–70.

It was this difficulty in carrying out the proposal to confiscate some or all of the provinces belonging to the Daimyo of Choshiu which caused the Shogunate to come to the conclusion that it would be better to pay the heavy indemnity of $3,000,000 rather than open a port in the Inland Sea. This notice was given by the Roju on April 5, with the statement that the first payment would be made in the sixth month (August), the second a year later, and the others as provided by the convention.[10]

This decision was received with regret by both the American minister and the British chargé, Charles A. Winchester. Mr. Pruyn and Sir Rutherford Alcock had, from the first, preferred a new port to a heavy indemnity; Mr. Pruyn had very soundly pointed out that indemnities of this kind were really paid by the foreign merchants in enhanced burdens on commerce, and he had expressed the opinion that the great Richardson indemnity had been met in exactly that way.[11] In this view he was supported by Mr. Winchester.[12] But as long as the Japanese preferred to pay the indemnity rather than open the port, the powers could not insist otherwise. There was one chance for further discussion, and that lay in the request of the Japanese that the second payment, instead of being

[10] For. Rel., 1865, III, 247.
[11] October 29, 1864. For. Rel., 1864, III, 582.
[12] April 12, 1865. P.P. 1866, Com. 76, p. 15.

made within three months, be postponed to one year after the first. Mr. Winchester first saw the possibilities in this postponement, and in reporting the Japanese request he suggested that the treaty powers take advantage of the long period between the first and second instalments "to effect some arrangement which, by securing general advantages, such as the opening of Hiogo, or a revision of the tariff, will be compatible with a reduction of the total amount of the indemnity."[13]

The four representatives considered in conference the proposal of the Roju and decided to accept the first payment, under reservation, but to refer to their home governments the question of altering the date of subsequent payments.[14] Ten days after this conference, on April 25, Winchester made a suggestion to Earl Russell which shaped the course of the later negotiations. It was

> whether the deviation proposed by the Japanese might not fairly be made the basis of a joint counter-proposition on the part of the foreign co-signatories to take, as equivalent to the moiety, or two-thirds of the indemnity, some such concessions as the opening of Hiogo on the 1st of January, 1866; the written adhesion of the Mikado to the Treaties; and the reduction of import duties, now levied at 5, 6, and 20 per cent.

[13] Ibid., 15.

[14] P.P. 1866, Com. 76, p. 18. It should be remembered that no payment was due until after the convention had been ratified by the powers. It was not ratified by the United States until April 9, 1866.

on different classes of goods, to a uniform rate of 5 per cent., a change which would be a great convenience to foreign commerce, and, by stimulating consumption, would probably be attended with no material diminution of profit to the Japanese revenue.[15]

This proposal of the British chargé was in keeping with the Anglo-American policy of commercial development. The only new feature was the reduction in the tariff, for the Mikado's ratification had been promised, and Hiogo would be open anyway after January 1, 1868. If the opening of Shimonoseki or a similar port were considered equivalent to the entire indemnity, then these concessions were surely worth half or two thirds of it. The Dutch and French governments, however, favored the payment of the full amount. It was now a question as to whose views should prevail.

At this time it was becoming more and more evident that many of the daimyos were eager to have commercial relations with the foreigners, and that one cause of their hostility to the Shogun was the restrictions placed upon their trade at the open ports, all of which were within the Tycoon's domain. It was for this reason that Mr. Pruyn advocated the opening of Osaka, where the daimyos had long enjoyed privileges

[15] Ibid., 19. Winchester felt that the payment of so large an indemnity would seriously tax the impoverished resources of the Tycoon.

[16] For. Rel., 1865, III, 249.

of trade.[16] Mr. Winchester believed that if the Tycoon would not agree to open some ports in western Japan the daimyos would open them themselves, and the conduct of Choshiu in purchasing supplies from Shanghai was cited as a case in point.[17] On several occasions he pointed out to officials from Yedo the folly of trying to bar the daimyos from foreign trade, and even stated that Great Britain had the right to deal directly with the feudatories, but had no intention of adopting prematurely such a policy.[18] Of course the object of these suggestions was to induce the Shogunate to open the desired port in the Inland Sea.

Early in May the American minister, Mr. Pruyn, left Japan to enjoy a well-earned vacation at home. When he sailed out of the Bay of Yedo it was with every intention of returning at the expiration of his leave of absence. After his return to Albany a combination of personal reasons caused him to proffer his resignation, and he retired from the diplomatic service.

The career of Mr. Pruyn has been sketched in the preceding pages, but in this place a few words of summary might well be added. He may be considered as an excellent representative of the American diplomat of his day,—untrained in diplomacy, but well supplied with sound judgment, high principles, and sympathetic

[17] P.P. 1866, Com. 76, p. 24.

[18] Ibid., 27–28.

insight.[19] His colleague, Sir Rutherford Alcock, was an excellent British representative, ever jealous of British rights and interests, and quick to support or maintain them. But Robert H. Pruyn, like Townsend Harris, was more than an American diplomat. He could see more than American rights and interests; his vision was broad enough to permit him to see the interests of Japan as well. So of all the diplomats in Japan in his day he possessed the best understanding of the embarrassing problems created by foreign affairs, and he also retained to the end the greatest sympathy for the Shogunate in its difficulties. His policy was a simple one. He would maintain the treaty rights intact, but he would not commit a wrong to preserve a right. "Moderation and forbearance" were the principles which he believed would serve best in such unsettled days. Perhaps, as an American, he could not approve of the threatening attitude of Britain and France in 1863 because he realized what would have been the effect in his own land if during the early days of the Civil War a similar interference had been carried through.[20] When he finally joined Alcock in

[19] Charles Sumner, chairman of the Senate Committee on Foreign Relations, is reported to have said that Mr. Pruyn's correspondence was unsurpassed in ability by any other American envoy, with possibly the single exception of Hon. Charles Francis Adams (National Cyclopedia of American Biography, XIII, 439).

[20] Japan was happily spared a foreign war at this time.

the expedition against Shimonoseki, it was because he was convinced that it would serve to strengthen the lawful authority of the Shogunate.

These principles were manifest in his dealings with the Japanese. In settling claims he kept in mind the real situation in Japan and never sought to impose exemplary damages, but was content merely to secure modest sums to cover reasonable losses. For the murder of Mr. Richardson, Great Britain demanded and received £125,000, and destroyed the town of Kagoshima; but for firing on the American ship of war *Wyoming* all that Mr. Pruyn asked was a provision of annuities for the families of the slain and for the wounded. The exaction of the enormous indemnity did not save the lives of Major Baldwin and Lieutenant Bird a year later, nor did the modest demand of Mr. Pruyn encourage the Japanese to attack Americans with impunity. In assenting to the heavy Shimonoseki indemnity, Mr. Pruyn did so in the hope that it would result in the opening of a port rather than in the payment of money.

To Mr. Pruyn was due the recognition by the Japanese of the principle of international arbitration, as well as the first proposal that the treaty powers should unite in securing the Mikado's ratification of the trea-

But in 1857, while China was in the throes of the terrible Taiping Rebellion, demands for increased treaty rights were made which resulted in the war with Great Britain and France.

ties. It was a great pity that he could not have remained in Japan a few months longer to see his proposal carried out. The credit for securing the ratification has gone to the man who executed rather than to him who devised the plan.

In Mr. Pruyn's absence the legation was entrusted to Mr. A. L. C. Portman as chargé d'affaires. He had first visited Japan as Dutch interpreter with Commodore Perry and returned with the Japanese embassy in 1860. Early in June he was able to move the legation once more to Yedo.

Soon after Mr. Pruyn left Japan the Choshiu problem, which had been dormant for several months, again became acute.[21] The revival was due to another clan revolution which this time put the old controlling element back in power. But although they were members of the former anti-Shogun and anti-foreign party, they had dropped all their hostility toward foreigners, and instead had doubled their hatred of the Shogunate. At this time, also, a reconciliation was effected between Satsuma and Choshiu, at the instigation of Saigo Kichinosuke, the Satsuma samurai who later became commander-in-chief of the imperial forces. Henceforth these clans agreed to work side by side for the restoration of the Mikado and the abolition of the dual government. When news of this coup reached Yedo—although the

[21] Japan, 1853–1869, pp. 70–76.

agreement between Satsuma and Choshiu was not known at the time—the Shogun again proclaimed his intention of punishing Choshiu, and called upon the vassal daimyos for aid. This time there was a difference of opinion among the retainers as to the wisdom of renewing punitive measures, and the Ex-lord of Owari, who had commanded the first expedition, now urged caution before proceeding on a second. The Shogunate stood firm, however, and on the 9th of June the Shogun left Yedo for Osaka to direct the operations in person.

The renewal of hostilities caused the foreign representatives to consider the obligations of neutrality and also their relations with Choshiu under the Shimonoseki arrangements. On January 21 the Roju complained that Choshiu was carrying on illicit trade with foreign ships in the straits, and the ministers then issued warnings against their nationals' carrying on trade at other than treaty ports or selling munitions of war to others than the Japanese government.[22] In May it was reported that foreign adventurers were flocking to the support of Choshiu, and the notorious General Burgevine, fresh from his exploits during the Taiping Rebellion, was said to be among them.[23] The foreign representatives met and signed a memorandum, on June 21, which was ad-

[22] P.P. 1866, Com. 76, p. 7.
[23] P.P. 1866, Com. 76, pp. 23, 24.

dressed to the commanders of their national naval forces.[24] This stated that although the commanders ought to oppose the rearmament of the batteries of Choshiu, and even proceed to disarm them if they should have been rearmed, yet as this act might bring about conflicts and complications, they were requested to make such remonstrances as they deemed appropriate and to inform their respective representatives. They were also to keep the straits open for legitimate traffic, and to lend their aid in the repressing of contraband trade; they were to prevent the Tycoon's ships from going too far in the prevention of unlawful commercial operations; and when hostilities should have commenced they were either to warn merchant ships or even to prevent them from entering the straits if there were actual danger. The representatives expressed their desire that "the strictest neutrality should be observed in all that concerns the military operations between the Tycoon and the Prince of Nagato." At the same time Mr. Winchester issued an official notification, based upon the provisions of the treaty and on the Orders in Council of January 23, 1860, warning British subjects of the penalties attached to illicit commerce, especially in arms and munitions of war.[25]

On the 18th of July the successor of Sir Ruther-

[24] For. Rel., 1865, III, 252.

[25] June 22. P.P. 1866, Com. 76, p. 43.

ford Alcock landed at Yokohama. In Sir Harry Smith Parkes the British had a forceful and courageous representative who was able to dominate the diplomatic body during his eighteen years of service in Yedo and Tokyo.[26] With twenty-four years of eventful experience in China to draw upon, he was prepared to take the leadership among his colleagues, and this post he never relinquished. Thus the newcomer was able to reap the harvest which his predecessors had so laboriously tended.

It now becomes necessary to follow the negotiations among the treaty powers concerning the wisdom of accepting the Shimonoseki indemnity. In reporting the naval success at Shimonoseki and the terms agreed to there, Alcock had, on September 28, 1864, asked for instructions as to whether Russell would be willing to accept the opening of Shimonoseki or a similar port in lieu of the ransom and the indemnity.[27] Russell had promptly replied, on December 3, that the government would renounce any money payment "if greater or equal advantages can be secured by stipulations to be obtained from the Tycoon or the Mikado." Russell then tried to secure the consent of the other powers, and was informed by France and

[26] For an uncritical biography see Dickins and Lane-Poole, Life of Sir Harry Parkes; for a very different estimate see E. H. House, "The Martyrdom of an Empire," in Atlantic Monthly, vol. 47, pp. 610–623.

[27] P.P. 1865, Com. 57, p. 126.

the United States that their representatives were entrusted with discretion to act as seemed wise.[28]

After the terms of the convention reached Europe, France took the lead, and announced early in January that she would prefer the payment of the indemnity to the opening of a port, and the Netherlands agreed.[29] But now Great Britain preferred to wait until Alcock had returned and made his report. On March 30 Russell instructed Sir F. Bruce to ask Mr. Seward what was the opinion of the United States in this matter, advising him at the same time of the disagreement between England and the two continental treaty powers.

Before any agreement could be reached on this question the Japanese apparently removed it from the realm of discussion by announcing that they would pay the indemnity rather than open a port. However, in requesting a modification of the terms of payment they at once opened the door for further discussion. Earl Russell, on June 21, instructed the

[28] P.P. 1865, Com. 57, pp. 136, 147.

[29] P.P. 1866, Com. 76, p. 1. These reasons were advanced by M. Drouyn de Lhuys, the French minister for foreign affairs: "In the first place that Shimonasaki was no port at all, but an open roadstead, not always safe; secondly, that the port of Osaca, not a great way off, must, according to Treaty, soon be opened; and, thirdly, that money was a substantial penalty which once received could not be recalled, whereas permission to trade at Shimonasaki might be rescinded at any moment." See also For. Rel., 1865, II, 353.

three British ministers to notify the treaty powers to which they were accredited that the British government believed the whole amount of the indemnity ought to be paid in 1866.[30] In this view support was received from France and the Netherlands.

On July 6, however, Earl Russell received Mr. Winchester's despatch of April 25, which suggested the waiving of half or two thirds of the indemnity in return for the opening of Hiogo, the written adhesion of the Mikado to the treaties, and the reduction of the import duties. He at once instructed the ministers abroad to take up this proposal with the respective governments.[31] If the Shogun would not accept these terms, then the indemnity was to be promptly paid, the final instalment being due on October 1, 1866. If he would accept neither of these conditions, the concessions made in 1862 should be withdrawn, and the opening of Osaka and Hiogo from January 1, 1866, should be insisted upon. If the powers agreed, the British minister in Japan would be instructed to act in concert with his colleagues.

The Netherlands, preferring the payment of the indemnity, at first accepted Lord Russell's scheme only on condition that the other powers would agree, but later sent instructions to their agent in Japan to act as Russell suggested.[32] The United States,

[30] P.P. 1866, Com. 76, p. 17.
[31] July 12. P.P. 1866, Com. 76, pp. 20, 21.
[32] Ibid., 29, 32.

unable to act until the treaty was ratified by the Senate, was still disposed to concur nominally and cooperate in the plans proposed by Great Britain.[33] The French government continued to prefer the indemnity; in fact it held that the powers had no choice in the matter as long as Japan offered to pay.[34] As to the proposed delay, it thought the ministers on the ground could determine best whether the delay should be accorded.[35] M. Drouyn de Lhuys also took up the question of the distribution of the indemnity. He believed that the "moral influence" pointed out by the Americans should be considered, and his proposed division called for $2,000,000 to be distributed on the basis of the forces employed, $420,000 to France, the United States, and the Netherlands, for attacks on their flags, and the balance, $580,000, to be divided equally. This refusal of France to join with the other powers in revising the demands prevented the new joint action which Earl Russell had endeavored to organize. But what the foreign minister was unable to bring about by despatches, Sir Harry Parkes

[33] August 15. Ibid., 48.

[34] P.P. 1866, Com. 76, p. 30.

[35] Note the erroneous interpretation of the French position by Sir Harry Parkes later. Russell sent a summary of M. Drouyn de Lhuys' despatch to Parkes in his despatch of July 26. There is no record of any American suggestion that "moral influence" be considered. See Chapter X for discussion at the time the convention was negotiated.

was quite able to accomplish through his forceful personality.

The instructions which Earl Russell forwarded to Parkes on his appointment to Japan were of a very general nature.[36] He was, in brief, to maintain all the advantages gained by the Shimonoseki operations and to cultivate the most cordial relations with his colleagues. Among the advantages thus gained were: "Either the confirmation of the Treaties by the Mikado, or the formal admission that the Tycoon having, as the Prince of Satsuma said, the treaty-making power, required no sanction from the Mikado for the conclusion and execution of the Treaties with European Powers and the United States of America." At this late date the British foreign minister was unable or unwilling to appreciate the absolute necessity of securing the Mikado's assent to the treaties.

After the French reply had brought to a close the proposed concert for the revision of the Shimonoseki convention, Earl Russell penned a despatch on August 23 which actually only instructed Parkes "to ascertain the real state of affairs," in conjunction with his three colleagues and in communication with the Roju.[37] The despatch pointed out the contradictory assertions of the Japanese as to the validity of the treaties, but maintained that the British government

[36] April 8, 1865. P.P. 1866, Com. 76, p. 8.
[37] P.P. 1866, Com. 76, p. 36.

had properly assumed that the Tycoon had the power to conclude them; it then developed the view that the Tycoon's government had deceived the treaty powers in stating that the attacks on foreigners were due to the opposition of the Japanese people and the ill-will of some of the most powerful daimyos, whereas both Satsuma and Choshiu had said that their hostile deeds were committed under orders from the Tycoon; and it recalled that the powers had accepted the representations of the Tycoon's government and had agreed to postpone the opening of some of the treaty ports, but now it was said that the people and the daimyos would welcome the inauguration of trade at those places, and that the principal daimyos were ready to open their own ports. If these assertions were true, then the British government was unwilling to exclude its subjects from the treaty ports upon insufficient grounds. Parkes was also advised that his government would prefer "a large and healthy extension of commerce" to the payment of money indemnities; but if Japan insisted upon the payments, then they must be made at the stipulated times.

This despatch, which was received on October 23, really called for an investigation and a report,[38] and a man of less initiative and assurance would doubt-

[38] Lord Clarendon, Russell's succcessor, was waiting for Parkes's "report" as late as November 22 (P.P. 1866, Com. 76, p. 59).

less have followed the letter of his instructions. Sir Harry Parkes knew, however, what his government desired, and he proceeded to accomplish it. Basing his action upon a misinterpretation of Russell's despatch of July 26, he at once summoned the French and Dutch representatives to a conference and easily convinced them of the wisdom of his proposals.[39]

The Japanese had, true to their promise of April, offered to pay the first instalment within the sixth month, which ended on August 20. Although this sum was not due until after the representatives had announced to the Shogunate the ratification of the convention and the receipt of their respective instructions, yet on consultation they determined to accept the first payment.[40] The receipt, which was given on September 4, expressly stated that the acceptance of

[39] In his reply to Russell's despatches of July 24 and 26 and August 23, Parkes wrote, on October 30, that he understood Lord Russell had arranged with M. Drouyn de Lhuys that the question of securing other compensations in return for the remission of two thirds of the indemnity should be submitted to the four representatives in Japan "in order that they might decide on the course to be adopted or to report to their Governments in the event of disagreement." This was not the case. M. Drouyn de Lhuys had only suggested that the representatives in Japan should decide whether to permit the Shogun to delay the payments of the indemnity. France at this time stood out squarely for the payment, and her position was reaffirmed as late as November 16 (P.P. 1866, Com. 76, p. 59).

[40] For. Rel., 1865, III, 256.

this sum should not affect in any degree the right of the powers to demand, if they saw fit, the punctual payment of the whole indemnity in quarterly payments as stipulated in the convention.[41] At this time Mr. Portman suggested to Mr. Seward that if he deemed too large the full amount of $3,000,000—"so much larger than originally intended"—a portion of it, say $500,000, might be employed in the improvement of the foreign and Japanese settlements at the open ports, in drainage, street cleaning, and so on. "In no manner that I am aware of," he added, "could any portion of such indemnity be employed to greater advantage and be of more lasting benefit to both our political and commercial relations with this country."[42]

In other words, early in September it looked as if the payment of the indemnity would proceed, with or without the grace desired by the Shogunate. However, on the receipt of Russell's despatches Sir Harry Parkes, as we have seen, entered into a conference with the two representatives in Yokohama, on October 26. He stated the British views concerning

[41] Ibid., 259. Delivery of the $500,000 commenced on August 22, but as it was not possible to examine more than $50,000 a day, it was continued until September 1. The money was at first deposited in two of the foreign banks in Yokohama, and later transferred to the British commissariat chest there, and drafts for the amount were made available for distribution among the powers in London.

[42] Ibid., 257.

the remission of the indemnity and the three concessions to be secured in lieu thereof,[43] and he wrote, "I had the satisfaction of finding that these views were concurred in by M. Roches." With the French minister won over in spite of his instructions, the way was clear. M. Roches explained that he had changed his views because he had not felt that the opening of a single port, as mentioned in the convention, was a fair compensation for the surrender of all of the indemnity, while the three concessions now outlined would be quite equivalent to two thirds of it. It was understood that the Tycoon would still have the option of paying the indemnity or accepting the new proposals, but in the former case the payments would have to be punctually made.[44]

With this understanding effected, it became necessary to consider how the new negotiations might best be carried out. Parkes then suggested that as the Tycoon and four of the five members of the Roju were at that time at Osaka, and as their return might be long delayed on account of the Choshiu operations, it would be expedient for the representatives to proceed there and discuss with them the questions at issue.[45] "And it also occurred to me," he wrote,

[43] P.P. 1866, Com. 76, p. 64.

[44] As late as November 16 the French government felt that the extension of time asked for by the Shogunate should be granted (P.P. 1866, Com. 76, p. 59).

[45] Pruyn had advised this on June 27, 1863, and Alcock on October 6, 1864. See Chapters VIII, X.

"that whatever result might attend our negotiations, the appearance of a fleet off Osaca could not fail to exercise a beneficial effect both on the Daimios who surround the Court of Kioto, and have had little opportunity of satisfying themselves of our power, and also on the people generally of that vicinity, whom it is well to begin to accustom to the sight of foreign visitors."[46]

His colleagues agreed with this proposal, M. Roches believing that their appearance at Osaka might give the Tycoon an excuse for postponing hostilities against Choshiu and thus afford another opportunity of avoiding the outburst of civil war. A memorandum to this effect was promptly drafted, and was signed on October 30, on the arrival of Mr. Portman from Yedo.[47] The meat of this document was the statement that the four representatives had agreed to transfer their negotiations to Osaka and to invite the naval commanders to proceed there and to remain during the negotiations. A long preamble was designed to reconcile the divergent instructions of the

[46] He also explained to Russell "that Osaca at this time would present more favourable opportunities than Yeddo for acquiring the information which your Lordship instructs me in your despatch of the 23d of August to procure on the disputed question of whether the opening of Hiogo to foreign trade involves danger to the Tycoon's Government."

[47] For. Rel., 1865, III, 266–267. French text in P.P. 1866, Com. 76, pp. 65–67.

representatives and to establish the wisdom of acting upon the proposals put forward by Great Britain.[48]

On that day notes, similar in expression, were addressed to the Roju by the four representatives to the effect that they were about to proceed to Osaka to negotiate with the ministers at present with the Tycoon for the solution of all that related to the convention of October 22, 1864.[49] When the news of the proposed expedition reached Yedo the sole remaining minister of the Roju, Midzuno Idzumi-no-Kami, and a vice-minister hurried to Yokohama on the 29th and called upon Parkes and Roches, "for the professed purpose of dissuading us from the proposed movement."[50] Parkes explained that "the objects of the expedition were strictly of a friendly nature," and the Japanese officials, in turn, promised to keep order in Yokohama during their absence. The seriousness of the situation was evident, however, from the fact that this was the first time a member of the Roju had called upon a foreign minister at his own residence.

It was arranged that the joint expedition should sail from Yokohama on the first of November.[51]

[48] It is again asserted that France had favored the settlement of this question by the representatives in Japan. See note 39. Mr. Portman had received no instructions on this subject.

[49] For. Rel., 1865, III, 267; P.P. 1866, Com. 76, p. 68.

[50] P.P. 1866, Com. 76, p. 65.

[51] Ibid., 75–77.

The British furnished five ships, the French three, the Dutch one; but, as had so frequently happened, there was no American ship of war available, and so the American chargé d'affaires proceeded to Osaka in the British frigate *Pelorus*. The squadron arrived off Hiogo on the 4th, and the next day letters were sent ashore to the Japanese ministers at Osaka. These letters announced the arrival of the four representatives in the Bay of Osaka for the purpose of determining with the Japanese ministers "certain questions of grave importance arising out of the Convention of October 22, 1864." Sir Harry Parkes, while stating that the visit was undertaken in the most friendly spirit, spoke of the long delay that had occurred since the signing of the convention, and announced that he and his colleagues would demand "a prompt and satisfactory settlement of the questions referred to." He added:

> It will give the Undersigned the most sincere satisfaction to learn that the adjustment of these questions may be greatly facilitated by their Excellencies being provided with the formal approval of the Treaties by His Majesty the Mikado, which their Excellencies in October last admitted to be essential to the maintenance of a good understanding between European nations and Japan, and which they then promised to obtain.

In closing he took occasion to say that he was accompanied by Admiral King, commander-in-chief of all the naval forces of Her Britannic Majesty in China

and Japan, and that his letter was dated from the admiral's flag-ship.[52]

In order to avoid confusion it should be remembered that there really were no "questions of grave importance" arising out of the convention of 1864. The Japanese had done everything they had agreed to do. They had even paid the first instalment of the indemnity almost a year before it was due. They had, to be sure, asked for a delay of some months in making the second payment, but until they failed to make that payment their attitude was absolutely correct. It must also be remembered that the convention said nothing about the ratification of the treaties by the Mikado. The Yedo officials had agreed that this was desirable, but they had carefully refrained from doing more than promise that they would do their best to secure the ratification. The foreign representatives, backed by a powerful fleet, at a time when civil war was threatening, were going to demand "a prompt and satisfactory settlement" of new questions, instead of any that had arisen from the late convention.

The Japanese did not question the right of the foreign ministers to request a conference with the Roju at Osaka, and it was arranged that Abe Bungo-no-Kami would meet them on shipboard on the 9th. He was unable to keep the first appointment, but did

[52] P.P. 1866, Com. 76, p. 78.

appear on the 11th. At that time he conferred with the British minister and the American and Dutch representatives on board the British flag-ship,[53] and later with the French minister on his vessel. At the former conference considerable discussion centered upon the London protocol of 1862. It was pointed out that the postponement of the opening of Hiogo and Osaka was granted on certain conditions. These had not been lived up to, and therefore Great Britain could insist upon the immediate opening of those places.[54] At the same time the Shogun had asked for a postponement of the date of paying the Shimonoseki indemnity. The powers would not permit "these repeated delays and evasions," and would insist upon punctual payment of the indemnity. Therefore the powers offered as an alternative the proposals

to remit to the Tycoon two-thirds of the money stipulated in the Convention of October 22, 1864, in return for the immediate opening of Hiogo and Osacca to trade, the formal con-

[53] Minutes of conference in For. Rel., 1865, III, 268–272.

[54] On December 19, 1863, Russell had instructed Alcock that the modifications set forth in the London Convention "are binding on Her Majesty's Government until they are expressly revoked" (P.P. 1865, Com. 57, p. 1). No revocation had since been made. On July 12, 1865, Russell informed the other powers that if Japan would not grant the new concessions or would not pay the indemnity promptly, then the modifications granted in 1862 should be withdrawn. But no action was taken on this proposal. In raising the question at Osaka the representatives went beyond any instructions they possessed.

sent of the Mikado to the treaties and the regularization of the tariff on a basis of five per cent.[55]

It was pointed out in support of these requests that in virtue of the London Convention of 1862, the opening of Hiogo and Osacca might be demanded at any moment, and a revision of the tariff can be claimed under the treaty itself.[56] A formal announcement by the Mikado of his approval of the treaties is, therefore, the only additional measure that is now asked, and this is simply a mark of friendship, which ought to be granted without hesitation, and which the Japanese ministers promised to obtain upwards of a year ago.

Lord Abe pointed out the difficulties of the Shogun's position which had caused his government to be unable to fulfil the conditions of the London convention, and he craved the indulgence of the treaty powers. He also maintained that the opening of Hiogo and Osaka was out of the question at the present time. To this the ministers replied that if the Shogun would not open them, the powers might insist upon this point under the original treaty, and then the Shogun would have to open the ports and lose $2,000,000 as well. The suggestion was made that there was nothing in the treaties to prevent the powers from opening trade with the daimyos at their own

[55] It was stated that the representatives had received instructions to insist upon either payment or acceptance of the alternative, a statement which was not correct.

[56] The tariff was subject to revision "if the Japanese Government desires it," after July 1, 1863, but at the desire of foreign governments only after July 1, 1872.

ports, if the Shogun failed to reciprocate their friendship and consideration.[57]

These demands naturally made a deep impression upon the Japanese minister, and he asked that the conference be adjourned to the next day for their consideration. At that time a messenger reported that in order that the whole question might be discussed by the Tycoon and the Roju the minister would have to postpone the conference until the 14th. On the latter day a vice-minister and the principal ometsuke of the Tycoon came in the place of Lord Abe, and announced that although the Tycoon agreed to the justice of the representatives' demands, it would take time for him to convince the Mikado.[58] They repeatedly assured the ministers that the Tycoon was now resolved to settle once and for all the ratification of the treaties. But an audience with the Mikado would be necessary, and so they asked that a delay of fifteen days be granted for this purpose. To this the representatives replied that at most they would wait for eight or ten days, and in order to induce the Shogun to come to a prompt decision they added, "In the interval we may find it convenient to visit Shimonoseki or other places in the Inland Sea."

[57] The treaties designated certain ports and cities which were to be opened for trade and residence. How the representatives could propose to trade at other places and still consider the treaties in force is a mystery.

[58] Minutes of conference in For. Rel., 1865, III, 272–274.

Here matters rested for a few days. In Kyoto there was great excitement.[59] The leading Shogunate officials urged the court to ratify the treaties, lest war between Japan and the allied powers ensue.[60] The conservative party, however, was not easily dislodged. On the 19th Abe Bungo-no-Kami and Matsmai Idsu-no-Kami, two of the Roju, were dismissed by order of the Mikado, and stripped of their titles. This news was confirmed by messengers sent from the Roju on the 21st. Believing that it meant a reactionary movement in Kyoto, the four representatives promptly addressed identic notes to the Tycoon, which were delivered in Kyoto on the 23d. These notes insisted that unless a categorical reply to the proposals was made, in writing, within the allotted ten days (which would expire on the 24th), they would consider "that its absence denotes a formal refusal of our conditions on your Majesty's part, and we shall, in that case, be free to act as we may judge convenient."

This letter, with its scarcely veiled threat, produced an immediate effect. On the afternoon of the 24th a member of the Roju and other officials came aboard the flag-ship to announce that the Mikado had ratified the treaties and that the Tycoon had agreed to the downward revision of the tariff, but that instead of

[59] P.P. 1866, Com. 76, pp. 82–85; For. Rel., 1866, II, 189–191.

[60] Japan, 1853–69, pp. 77–78. For address of Shogun to Mikado praying for ratification of treaties, see Adams, II, 24–27.

opening Hiogo and Osaka, the Tycoon would rather pay the full indemnity at the times stated in the convention.[61]

Thus the foreign representatives, acting either without or in defiance of instructions, but under the masterful leadership of Sir Harry Parkes, gained two of their three demands without having to relinquish a penny of the Shimonoseki indemnity. Naturally the report of their success was received with great satisfaction, and their proceedings met with the approval of their governments.[62] However, a careful study of the whole episode serves to discount the achievement,

[61] P.P. 1866, Com. 76, p. 86. The text of the Mikado's assent as communicated by the Roju to the foreign representatives was as follows: "The Imperial consent is given to the Treaties, and you will therefore undertake the necessary arrangements in connection therewith" (ibid., 86). In Japan, 1853–1869, it is stated that at the time the consent was given the Bakufu was ordered to revise the hitherto existing treaties, and the opening of the port of Hiogo was prohibited (p. 78). This led Sir Ernest Mason Satow, the translator, to state in a note (p. 77n): "With characteristic duplicity they omitted from this copy the postscript in which the opening of Hiogo was forbidden and a revision of the Treaties commanded. As there is no article in the Japanese language the omission of these two conditions made it apparent that the Mikado had given his consent to the Treaties as they then stood, which was not his intention." These orders were annulled by an imperial decree on June 26, 1867, and Hiogo was opened at the stipulated time.

[62] P.P. 1866, Com. 76, p. 87; For. Rel., 1866, II, 199.

and leaves but little credit to be divided among the participants. Once more the powers had imposed their will upon Japan. Is it to be wondered at if she remembered some of these bitterly learned lessons? Nothing more was said about the opening of Hiogo and Osaka under the terms of the London convention, and those ports were opened in due course on January 1, 1868. The tariff was revised in 1866 and remained in force until the long-delayed revision of 1894. Of greatest immediate value was the ratification of the existing treaties by the Mikado; but how unfortunate it was that this essential imperial recognition should have been linked with a demand for a downward revision of the tariff! The indemnity was eventually paid in full, and the United States, be it said to its credit, later returned every penny of its share.[63]

With the ratification of the treaties by the Mikado this study of the early diplomatic relations between the United States and Japan comes to a convenient close. As long as the treaties remained unratified the foreign relations of Japan were bound to be unsettled. Foreign affairs could not be determined on their merits, but became the football of domestic politics. Even after many of the daimyos were convinced of the wisdom of widening their relations with the West, they still found political capital in the Tycoon's un-

[63] See Appendix.

authorized dealings with the foreigners. Although when Perry arrived few Japanese would have questioned the right of the Shogun to deal with foreign affairs as he pleased, yet with the weakening of the Shogunate and the rise of the imperial power, there were as few in 1865 who did not recognize the Mikado's supremacy in such fundamental matters as these. The members of the Roju frankly admitted this. After the Mikado's sanction was won, the treaty powers were freed from their dangerous dependence upon the Shogunate. There were still some Japanese who yearned for the old ways, and hated the foreigners who desecrated the sacred land of the Kamis, but there was no powerful party in the state whose motto was "Honor the Mikado and expel the barbarians." So when the restoration of the Emperor came in 1868, it was a very easy matter for direct relations to be established between the treaty powers and the new government.

The most interesting period of Japanese foreign relations is that between 1858 and 1865, when the Shogunate tried to keep faith with the foreign powers, in spite of a hostile court and powerful feudatories; when Japan learned her first lessons in modern diplomacy and international intercourse; and when the foreign ministers groped their way through the haze of Japanese politics until they found in the Mikado the ultimate source of power in the state. In mastering this

truth American diplomats played a leading part. Townsend Harris was ready to negotiate at Kyoto, if the Yedo authorities were unable to grant his requests; and it was Robert H. Pruyn who first pointed out the absolute necessity of having the treaties ratified by the Mikado. And the latter would have made a joint naval demonstration at Osaka, much as Parkes finally arranged; but it may be doubted if he would have linked a request of such fundamental importance with demands for additional commercial concessions.

The policy of the United States during this period was easy enough to define, but difficult indeed to carry out in the presence of the uncertainty which prevailed in Japan. The American government insisted that treaty rights be maintained, sought no selfish advantage, and urged the constant cooperation of the treaty powers. Because of the unity of interest of all foreigners in China and Japan, the United States abandoned its traditional isolation and worked in concert with the treaty powers in both countries. When, however, treaty concessions were prematurely granted, America was willing to postpone their enjoyment. So Harris was the first diplomat to advocate deferring the opening of the additional ports and cities and the first to receive discretionary power to grant the Japanese request. There were also times when the American representatives could not support their colleagues,

as when Harris stood alone in Yedo and when Pruyn sought to temper the British ultimatum in 1863. If the Americans, after the treaty-making of Perry and Harris, were forced out of their position of leadership by the British ministers, Alcock and Parkes, it does not follow that their influence was lost. Both Harris and Pruyn stood consistently for a policy of moderation and forbearance in dealing with the Japanese during those troubled years, and there could be no co-operation among the foreign ministers unless their views were recognized. If Harris, in 1860, or Pruyn, in 1863, had joined their colleagues of England and France, war between the treaty powers and Japan would probably have occurred. Yet, when American interests were openly attacked and the guilt was plain, the American minister was not afraid to strike with the limited means at his hand. It was an American ship which fired the first shot in defence of treaty rights; but there was a world of difference between the work of the *Wyoming* at Shimonoseki and that of the British squadron at Kagoshima a month later.

Americans, therefore, can read the story of these days with pardonable pride. In Perry, Harris, and Pruyn they find three worthy representatives of their nation, in whose record there is scarcely a line which, after half a century, one would erase. These men laid the foundation of what has been termed the "traditional friendship" of America and Japan.

Others builded upon it. Though some have tried to undermine the edifice so honorably reared, yet may it endure "till the little stone grows into a mighty rock, thick velveted with ancient moss." It will endure if the principles of respect for treaty obligations, mutual understanding, and unselfish good-will prevail on both sides of the broad Pacific.

APPENDIX

The Shimonoseki Indemnity

The history of the payment and the distribution of the Shimonoseki indemnity is a matter of some interest. The first instalment, of $500,000, was paid by September 4, 1865, almost a year before it was due,—for the convention of 1864 was not ratified by the United States until April 9, 1866. France, which stood out for the payment of the indemnity in full, was anxious to have the method of distribution determined by the four signatories. On July 22 M. Drouyn de Lhuys instructed the French ministers abroad to bring this matter to the attention of the governments to which they were accredited.[1] He suggested that some consideration be given to the moral influence exercised by the joint action of the powers, independently of the force employed, and he ascribed this proposal to "the Americans." According to Mr. Pruyn, this suggestion first came from M. Roches, the French minister.[2] M. Drouyn de Lhuys, however, had no thought of dividing the indemnity into four equal shares. At most, he would divide $2,000,000

[1] P.P. 1866, Com. 76, pp. 30–31.
[2] Pruyn MSS., October 31, 1864.

among the four powers in proportion to the force they devoted to the proceedings; he would then deduct $140,000 each for France, the Netherlands, and the United States, for the aggressive acts committed against their vessels; and would divide the balance, $580,000, among the four powers equally on the basis of "moral influence."

In reply to this proposal Mr. Seward offered the suggestion that it would be well to have the adjustment made at Paris, "as both England and France are more largely interested in this particular matter than we are, and the English Minister at Paris being so near home can act under full instructions from his Government."[3] Mr. John Bigelow, the American minister at Paris, therefore took up the matter with the French minister for foreign affairs and with his colleagues of Great Britain and the Netherlands.[4] Earl Russell instructed the British minister that no steps could be taken until Sir Harry Parkes had reported his action under his instructions of August 23.[5] However, a week later, on October 27, Russell gave his consent to the discussion of the sole question of the distribution of the indemnity.[6] But apparently nothing was done at this time. France continued to press the matter, through her ambassador in London, and,

[3] September 8. For. Rel., 1865, II, 345.
[4] October 13. P.P. 1866, Com. 76, p. 52.
[5] October 21. Ibid., 53.
[6] Ibid., 54.

finally, on January 1, 1866, the Earl of Clarendon, who had succeeded Russell as secretary of state for foreign affairs, penned a despatch to the British minister in Paris, which outlined the final settlement. It should be remembered that by this time the news had reached England of the successful negotiations at Osaka, and that not only were two of the three demands obtained, but the full payment of the indemnity was pledged as well. Great Britain could afford to be generous, especially as she had carried her point against the views of France.

Clarendon's proposal was to make allowance for the prior claims of France, Holland, and the United States, of $140,000 each, and then divide the balance equally, for the following reasons:

> The United States' Minister . . . is understood to contend that as the general co-operation of all the four Powers must necessarily have had great and equal weight if not in the actual operations at all events in the measures which preceded them, and afterwards in turning the result to good account, it would be fair to look upon the several Powers as contributing in an equal degree to the success of the common cause, and therefore as entitled to share equally in the indemnity which the Japanese Government agreed to pay.
>
> Her Majesty's Government are not indisposed to concur in this view of the question. It cannot be doubted that the joint action of all the Powers collectively afforded, and still affords, the surest means of producing a most salutary effect on the Japanese Government and people, who would be only too glad to detect and would certainly take advantage of the slightest indication of the existence of a separate interest among them.

The American principle of partition will secure to France a larger share of indemnity than she would obtain under the principle of distribution suggested by M. Drouyn de Lhuys, while Holland and the United States would be benefited by it in a still greater degree. England alone would be required to make a sacrifice; but Her Majesty's Government will consent to do so, if only to mark their conviction of the community of interest which the four Powers have in Japan, and as an evidence of their hope and desire that that community of interest will be the principle by which the conduct of all of them will invariably be regulated in that distant and peculiar country.[7]

In other words Great Britain was willing to waive a few hundred thousand dollars in order to continue the cooperation which had proved so advantageous for British trade in the past. The credit for this proposal belongs to Downing Street and not to the unnamed "United States' Minister." Mr. Pruyn was opposed to this great indemnity in the first place; M. Roches had suggested the consideration of "moral influence," but hardly in place of the material force supplied in the operations; M. Drouyn de Lhuys would have valued the "moral influence" at $145,000 for each power; and Mr. Seward had no thought of an equal division when he wrote that the matter more largely concerned Great Britain and France. In the exchange of verbal notes between M. Drouyn de Lhuys and Mr. Bigelow the credit is properly ascribed to "the British cabinet;" in fact Mr. Bigelow very properly speaks of

[7] P.P. 1866, Com. 57, pp. 73–74.

it as "the liberal proposal of the British cabinet." In reporting the matter to Mr. Seward he wrote: "The liberality of this proposal places the United States under greater obligations than any of the other treaty powers, inasmuch as our equitable proportion of it was, I believe, the smallest."[8] The principle of partition which was adopted was not, therefore, "the American principle."

This method of distribution was accepted by the powers. It meant that $420,000 would be deducted from the $3,000,000, in order to provide $140,000 each for France, Holland, and the United States. The balance would then be equally divided. This arrangement would mean that Great Britain, which furnished the bulk of the ships and men at Shimonoseki, would receive $645,000 as her share of the indemnity, while France, Holland, and the United States would receive $785,000 each. No wonder the world was amazed at the unselfishness of Great Britain, and no wonder that within two years Mr. Seward spoke of the first payments of this sum as having been received "without substantial equivalent," and that the effort was inaugurated to secure the return to Japan of America's share.

The payment of the indemnity proved to be a more difficult matter than the Tycoon's officials believed, when they preferred to pay the full amount rather than

[8] For. Rel., 1866, I, 273–275.

anticipate the opening of Hiogo. Instead, this sum, which seemed so large in those days, hung like a millstone around the neck of the government for nine full years. As the Japanese had voluntarily agreed to make the first payment in the sixth month (ending August 20, 1865), the other payments would fall due at three-month intervals, approximately on November 17, 1865, February 15, May 15, August 15, and November 15, 1866. As we have seen, the first payment was made between August 22 and September 1, and the receipt was dated September 4. The money was deposited in two of the foreign banks in Yokohama, and the home governments were consulted. Acting on the British suggestion, the sum was turned into the British commissariat chest at Yokohama in April following at the British official rate of exchange, 4s. 3d. to the dollar, the $500,000 amounting to £106,250.[9] The sum was then divided in London, and on July 21, 1866, Mr. Charles Francis Adams, the American minister, received a draft on the British treasury for £27,802 1s. 8d., the amount due to the United States, which he deposited with Baring Brothers and Company to the credit of the secretary of state.[10]

The second instalment, which was due on November 17 or 20, 1865, depending on whether the Japanese or the foreign calendar was used, was paid to the

[9] For. Rel., 1866, II, 201.

[10] Ibid., I, 151–152.

Oriental Banking Company on January 8, 1866, but the representatives were not asked for an official receipt until April, which they gave, antedated to January 8.[11] The delay in making the payment was due in part to the absence of the foreign ministers from Yedo, and also to the necessity of converting a large quantity of copper cash into silver, which was done by sale in China by the Oriental Bank.[12]

When the time came to meet the third instalment, the Japanese were unable to make payment, and instead gave their note, which was paid on May 16. On this date, therefore, there was $1,000,000 to the credit of the treaty powers in the Oriental Bank. Instead of turning it into the commissariat chest, the representatives determined to divide it and remit directly, thus securing a more favorable rate of exchange than the British official rate. The $250,000 which fell to the United States bought sterling bills of exchange for £56,770 16s. 8d.[13] This equal division of the second and third instalments made no provision for the special claims of the United States, France, and the Netherlands. In other words Great Britain received $35,000 too much; so instructions were sent to Sir Harry Parkes to pay to each of his three colleagues $11,666.66⅔ on account of their

[11] Ibid., II, 202.
[12] Ibid., I, 286.
[13] For. Rel., 1866, II, 205–208.

special allowance.[14] Mr. Van Valkenburgh, the new American minister, received this amount on October 23 and forwarded a draft for £2673 12s. 2d. to London.[15]

Before the third instalment was actually paid the Japanese government applied to the representatives for a postponement of the remaining three payments.[16] It based its request on the third article of the convention of 1864 which stated that the object of the treaty powers was not the receipt of money but the establishment of better relations with Japan. The Mikado's sanction of the treaties, and the revision of the tariff which was about to be made, were cited as proof of improved conditions. The representatives determined not to support this application until the negotiations regarding the tariff were completed. Sir Harry Parkes intimated to the Roju "that his recommendation of their proposal must greatly depend upon the spirit in which they should meet the representatives in these negotiations,"[17] and Mr. Portman wrote to Mr. Seward that he would not hesitate to recommend the application if a fair equivalent had been offered, "or if any equivalent, yet to be tendered, denoted an adhesion to a permanent liberal

[14] Ibid., I, 258.
[15] Ibid., II, 225.
[16] April 13. Ibid., II, 205.
[17] For. Rel., 1866, I, 176.

and friendly policy."[18] When the application of the Roju reached Mr. Seward, without any recommendation on the part of Mr. Portman, he determined to take the matter up with the other powers, at the same time expressing the opinion of the President that the extension ought not to be granted, in the absence of any sufficient equivalent and of adequate guarantees "for a more just and faithful execution of the treaties."[19] In reply to his proposal the British government announced that it would wait for the formal recommendation of the representatives in Japan.[20]

Here the matter rested. On June 25 the tariff was revised to the satisfaction of the powers. The Shogunate then became involved in its unsuccessful attempt to crush Choshiu. On September 19 the Shogun died, and was succeeded by Hitotsubashi, who had been a claimant for the office in 1858. A few months later, on February 3, 1867, the Mikado died. The representatives at Yedo consulted together, and determined to send notes to the Roju demanding payment of the moiety now long overdue. They were willing, however, to receive the sum in three instalments on May 15, August 15, and September 15.[21] On May 15 the Roju replied that the many demands upon the treasury had rendered them unable to pay

[18] Ibid., II, 204.
[19] Ibid., 210.
[20] For. Rel., 1866, I, 176.
[21] Ibid., 1867, II, 29.

the indemnity, and they requested an extension of two years. At this date the liberal policy manifested in the preparation for opening the remaining treaty-ports so impressed the representatives that they recommended that the grace be afforded. Thus the final payment was extended until May 15, 1869.[22]

In 1868 came the civil war for the restoration of the Mikado, and the Shogunate passed away. The new government was poverty-stricken, nor could it enjoy an adequate income until the feudal system was abolished. It was out of the question to expect that $1,500,000 could be paid in May, 1869. The necessity of Japan was therefore turned to the advantage of the powers. Under the tariff convention of 1866 the duties on tea and silk could be revised on the basis of five per cent of the average value of the articles for the three years preceding. On June 1, 1869, the representatives admitted that the duties were too low and agreed that they should be raised after January 1, 1870. The Roju, therefore, proposed that if the indemnity payment might be put over until May 15, 1872, and interest be waived, they would wait until that year for the collection of the increased duties. The sacrifice in loss of revenue was expected to more than balance the interest waived. This proposal was at length accepted by the powers, and the payment was again postponed.[23]

[22] Ibid., 37.

[23] 41st Cong., 2d sess., S. Ex. Doc. No. 58, pp. 10–13.

The three years of grace were years of storm and stress in Japan. The handful of alert and forward-looking leaders who had restored the Mikado to an authority unknown to his predecessors now endeavored to lay broad and firm foundations for the new government. In the fall of 1871 feudalism was abolished by imperial decree, and the transition from a feudal to a centralized state began. This in itself was enough to tax the ability of the new officials. On all sides were demands for money to meet the expenses of the new government, while the revenue system was unequal to the calls upon it. So in May, 1872, Japan again craved indulgence in the payment of an indemnity, on which she had already paid far more than could have been fairly claimed. In that year took place the famous mission of Lord Iwakura to the treaty powers, which seemed to confirm the liberal and progressive views of the new government. So matters rested for over a year.

In November, 1873, Sir Harry Parkes asked Mr. Bingham, the American minister, to join in a note requesting the payment of the moiety due. Mr. Bingham refused to do so, pending specific instructions, for by this time a strong movement had developed in the United States to relieve Japan of further payments.[24] In reply to Bingham's query Mr. Hamilton Fish, secretary of state, replied that although the bill

[24] For. Rel., 1874, p. 654.

to release Japan from further payments had failed in one House, and hence the department would have to consider it a refusal of Congress to grant the remission, yet he thought it best not to press unduly the claim for the balance.[25] Sir Harry Parkes then took up the matter with the Japanese, offering a remission of the indemnity in return for further privileges for foreigners in the country. But as Japan was now trying to secure a revision of the old treaties she was quite unwilling to grant further treaty concessions.[26] So she proceeded to make payments, out of borrowed money, to the three powers who pressed for a settlement. This time Japan paid the representatives of Great Britain, France, and the Netherlands directly, each receiving $125,000, their share of the fourth instalment, in February, 1874. This meant that Great Britain received more than her proper amount, and Sir Harry Parkes offered $5833.33 to each of the other three representatives. Mr. Bingham declined to receive this amount until instructed to do so.[27]

In reply to this new query Mr. Fish, on April 20, instructed Mr. Bingham to accept the money from

[25] Ibid., 659.

[26] For. Rel., 1874, 669.

[27] In a letter to Mr. Bingham, Sir Harry Parkes stated that Mr. Bigelow had proposed the principle of equal division of the indemnity. This was, of course, an error, based on the statement in Lord Clarendon's despatch already discussed.

Parkes, stating that if the other powers had refrained from collecting their portions, the United States would have done so; but as they had been paid the United States must expect to receive its portion, for "it has been the policy of the United States to act in concert with European powers in Oriental matters."[28]

Japan paid a second instalment to the three powers in May, and Parkes renewed his offer to Bingham, which was again declined.[29] On receipt of the instructions of April 20, however, Mr. Bingham accepted the two sums, and also informed the Japanese ministers for foreign affairs that the United States would expect to be paid so long as the other powers had received their instalments.[30] Mr. Bingham's attitude had encouraged the ministers to believe that the United States would not insist upon further payments, but they recognized its rights in the matter, and shortly afterwards, on July 7, paid $250,000, and on August 1 paid $125,000. On August 4 Sir Harry Parkes paid over the excess due the United States on the sixth and last instalment, $5833.33, and thus the payment of the $3,000,000 was finally completed after almost nine years. Mr. Bingham remitted the various sums received from the Japanese and from

[28] Ibid., 674.
[29] For. Rel., 1874, 682.
[30] Ibid., 686.

Parkes, $392,499.99, in the form of drafts on London for £81,546 17s. 6d.[31]

It now becomes necessary to note what disposition was made by the United States of its portion of this indemnity, amounting to $785,000 Mexican. As we have seen, the first three instalments were remitted to London, and then to New York. After allowing for the exchange on the two transactions, and for the high premium on gold, which ranged from thirty-four and one half to thirty-eight per cent, the sum of $392,500 Mexican paid by the Japanese in Yokohama amounted to $586,125.87 United States currency in New York. This sum was invested on June 12, 1867, in United States 10–40 (five per cent) bonds valued at $585,000 at par.[32] Why this money was not covered into the treasury was never explained. Instead, it remained as a special fund under the control of the secretary of state, and a similar fund growing out of the unexpended balance of the Chinese indemnity of 1858 was treated in the same manner. As the semi-annual interest payments were made, the sum was invested in more bonds. The second moiety paid in 1874 was invested, $364,000 in bonds and $31,860 temporarily in coin.[33] In 1883 the bond investment reached $1,834,600, in three, three and a

[31] Ibid., 694.

[32] 40th Cong., 2d sess., H. Ex. Doc. No. 219.

[33] 47th Cong., 1st sess., S. Rept. No. 120.

half, and four per cents. By preserving these indemnity funds intact the money was kept in mind, as would not have been the case if it had passed into the treasury. It was, to be sure, in danger of being used to meet dubious claims, but it also stood as a constant reminder of the nation's duty to both Japan and China.

On January 8, 1868, Mr. Seward wrote to Mr. N. P. Banks, chairman of the House Committee on Foreign Affairs, advising him of the receipt of this sum from the Japanese government, "without substantial equivalent,"[34] and stating that it awaited such disposition as Congress might direct. There were few, in Congress or out, who knew much about the origin of this indemnity fund, and some time would be required to arouse sufficient public interest to secure its return. But the presence of this unclaimed fund encouraged claimants of all kinds, and as a member said, "the eagles from all quarters are gathered around the carcass." It must be said to the credit of Congress that although questionable measures passed in each house, yet no raid on the Japanese indemnity fund was successful. Typical of these attempts was the bill which passed the Senate in April, 1868, for the adjustment of the claim of the owners of the *Monitor* for damages received in Choshiu in 1864.[35] This was a thoroughly discreditable claim,

[34] 40th Cong., 2d sess., H. Ex. Doc. No. 93.

[35] See Chapter IX.

and happily the House failed to take action. In 1870 the House voted to pay $190,000 out of this fund to the officers and men of the *Kearsarge* who took part in the destruction of the *Alabama*. The Senate Committee on Naval Affairs amended the bill to pay $160,000 to the crew of the *Wyoming* for their services at the destruction of the Choshiu vessels in 1863, but no action was taken. At this session Hamilton Fish, secretary of state, recommended that the two funds be used to build legations, post-offices, court-houses, and jails in the Orient. It was also proposed to establish a college in China or Japan, and an attempt to have the money covered into the treasury failed.

In 1872 the House voted to release Japan from the payment of the balance of the indemnity, but the Senate failed to act. Another bill provided for paying certain rent, in arrears to the Japanese government, and also the rent of a legation, a court-house, and a jail in Japan out of the income from the fund. This also failed in the Senate, which later secured the assent of the House to a bill providing the payments out of moneys in the treasury.

By this time considerable interest had been aroused in the origin of the indemnity and in its proper disposition. This was increased through news of the amazing developments in Japan and through the presence of Lord Iwakura's mission in the United

States. In 1870 Professor Joseph Henry, of the Smithsonian Institution, had advocated the return of the indemnity, to be devoted to educational purposes in Japan. Two years later a petition was circulated among the universities and in educational circles, which was signed by four hundred and fifty-two educators, urging Congress to return the unexpended balance of the fund, either without conditions or to be expended for purposes of education in Japan. This memorial was presented to the House by Mr. Hawley on January 27, 1873. At this session an attempt was made to secure the Senate's approval of the bill passed by the House for the remission of the balance of the indemnity, but without success. The House now passed a bill to pay $125,000 out of the fund to the crews of the *Wyoming* and the *Ta-kiang,* but the Senate failed to act. No action was taken by either house in 1874, although bills were introduced to cover the money into the treasury and to release Japan from the balance.

In his annual message on December 7, 1874, President Grant submitted the propriety of using all or a part of the income for training Americans to serve as interpreters, and also for the education of some Japanese in English. As the indemnity had now been paid in full, the later proposals dealt with the amount which should be returned to Japan. In 1875 it was proposed to return one half the amount received. In

1876 proposals were before both houses. In the Senate Mr. Frelinghuysen reported a bill from the Committee on Foreign Relations which called for the deduction of $125,000 prize money and $19,956 expenses from the $785,000 received from Japan, and then the remission of the balance with five per cent interest. A provision to attach a condition that the money be held in trust for education was defeated. This would return $785,956 to Japan, and cover $473,000 into the treasury. In the debate on this bill Senator Thurman made the objection that the government never paid interest on claims; and although his amendment to this effect was defeated, it was later carried when presented by Senator Sherman. As passed in the Senate this bill called for the payment to Japan of $640,054. In the House the bill was merely referred to the appropriate committee.

Although various propositions were before the next Congresses there was no legislation. In his message on December 1, 1879, President Hayes recommended that if any part of the two indemnity funds was due to citizens of the United States, they should receive it promptly, "and whatever may have been received by this Government in excess of strictly just demands should in some form be returned to the nations to whom it equitably belongs." This recommendation he repeated the next year, and President Arthur renewed it in 1881 and 1882.

In 1881 the Senate passed a very liberal bill to deduct $248,000 from the total fund and pay the balance, $1,463,224, to Japan. The sum of $248,000, which was arrived at by taking $140,000, the amount paid the United States for special damages, with interest at five per cent, was to be paid to the crews of the *Wyoming* and the *Ta-kiang*. This bill carried by forty-six to six.

The next year the House passed, by an almost unanimous vote, a bill of similar import, to return $1,516,364 to Japan and pay $254,000 to the crews. When this bill reached the Senate it was the subject of prolonged debate. Although it was in principle exactly similar to the bill passed by the Senate at the last session, yet much opposition developed. Finally an amendment by Senator Morrill, to pay the amount received from Japan, without interest, and to destroy the bonds, prevailed. Another amendment reduced the payment to the crews to $140,000, on the same principle that the government did not pay interest on claims. An amendment offered by Senator Hawley to repay the original sum received from Japan with interest at five per cent failed by one vote.

The House was unwilling to give way on a measure which had won almost unanimous support. Three times conference committees tried to reconcile the views of the two houses, without success.

In the Senate an effort was made to pass a more liberal bill, which would meet the desires of the House. No action resulted.

At the next session the conference committee met again, and this time the House members receded, and the bill as passed by the Senate was enacted and was signed by the President on February 22, 1883. It provided for the payment to Japan of $785,000.87,[36] for the cancellation of the bonds known as the Japanese fund, and for the payment of $140,000 from the treasury to the officers and crew of the *Wyoming* and the *Ta-kiang*. At this time the indemnity fund amounted to $1,839,533.99 (of which $1,834,600 was in bonds). After making the payment to Japan and allowing for the prize money, the sum of $914,533.12 remained, which was covered into the treasury.[37]

In this brief survey no attempt has been made to cite the numerous articles, in newspapers and periodicals, and the many memorials from chambers of commerce and other bodies, which appeared in favor of the return of the indemnity. Nor have all the proposals in Congress and the reports of various com-

[36] 47th Cong., 2d sess., chap. 51. Where the eighty-seven cents came from no man could tell. The amount named was not the sum, in dollars, received by the United States, but the sum, in dollars Mexican, paid by the Japanese. Only the eighteen men detached from the *Jamestown* to serve on the *Ta-kiang* were to receive the prize money.

[37] If the bonds had been sold instead of cancelled, a premium of about $250,000 would have been secured.

mittees been recorded, or any attempt made to summarize the debates which occurred on the various measures.[38] It may be said that the principal reason why restitution was not made long before was one which affects so much congressional legislation,—the inability to secure action in both houses at the same session. With members of Congress keenly interested in political issues or special legislation, it was difficult to secure proper consideration for a measure which had small claim upon their attention. So bills would be passed in one house and then be set aside for want of time in the other. Rarely did a member deny the justice of the proposal to return the indemnity. A few, like Senator Morrill, insisted that the United States had a "clear, lawful, equitable and moral right to the indemnity," but they were apparently very few. Most of the discussion centered on the amount to be returned: whether it should be half the sum received, or all the sum received without interest, or with interest, or the value of the bonds, with or without the premium. Some senators questioned the propriety of acting in this matter without consulting the other three treaty powers, but this point was never seriously considered.

The bill which finally passed, while falling far short of measures which had secured the approval of both

[38] For a list of congressional documents dealing with the Shimonoseki indemnity see bibliography.

houses at different times, was a very creditable measure. It represented the active desire of Congress to repair a wrong. It was just if not liberal, in view of the rule that no interest could be charged against the government. Congress must be given credit for not diverting any portion of this fund to meet dubious claims or for any other purpose, and for not relegating the pleas that justice be done to Japan to the limbo of valid but unrecognized claims.[39]

Mr. Frelinghuysen, secretary of state, promptly forwarded a draft to Mr. Bingham, minister to Japan, and instructed him to express to the minister of foreign affairs

> the satisfaction which the President feels in being enabled by this action of Congress to carry out the desire long entertained by this Government to return this money to Japan, and that he does not doubt but that it will be accepted by that Government as an additional evidence, if such were needed, of the friendly interest felt by the Government of the United States in everything that concerns the welfare and progress of the people and Government of that country.[40]

[39] At the next Congress was passed the Act of March 3, 1885, which returned to China the balance of the Chinese indemnity. In this case the balance, after all claims were paid, amounted to $239,165.77, and on this interest was allowed at five per cent on the ground that the money really belonged to China from the moment the last claim was paid. The amount returned was $583,400.90. The balance was covered into the treasury, and a claim for $130,000 against the Chinese government was allowed.

[40] For. Rel., 1883, p. 604.

Mr. Inouye, minister of foreign affairs, in reply to Bingham's letter, stated:

It is a source of satisfaction to me to be able to assure your excellency in reply that His Imperial Majesty's Government regards the spontaneous return of the money which was paid by the Government of Japan to that of the United States under the Convention of October 22, 1864, not only as an additional proof of the friendly disposition of your excellency's Government, but as a strong manifestation of that spirit of justice and equity which has always animated the United States in their relations with Japan, and it will, I am convinced, tend to perpetuate and strengthen the mutual confidence and the feeling of cordial good-will and friendship which at present happily subsist between the people of our respective countries.

On April 23, 1883, Mr. Bingham forwarded the endorsed draft to Mr. Inouye, and with this action the United States returned what it believed to be its full share of the Shimonoseki indemnity.[41]

[41] "After long deliberation, it was decided by our people that the money you returned to us should be expended in some work that would perpetuate in lasting, useful and visible form the good-will of this country, and to this end, the breakwater in the harbor of Yokohama testifies" (I. Nitobe, The Japanese Nation, 285). Following the example of the United States, Japan returned, on November 11, 1883, about 400,000 yen of the indemnity of 550,000 yen payable to Korea under the convention of July 27, 1882. This sum was to be used for educational purposes in Korea.

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